AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

3-15-84
Vol. 49 No. 52
Pages 9707-9858

federal register

Thursday
March 15, 1984

Selected Subjects

Administrative Practice and Procedure
Customs Service

Archives and Records
National Archives and Records Service

Aviation Safety
Federal Aviation Administration

Bridges
Coast Guard

Conflict of Interests
Personnel Management Office

Credit
Federal Reserve System

Fisheries
National Oceanic and Atmospheric Administration

Government Procurement
National Science Foundation

Hazardous Waste
Environmental Protection Agency

Immigration
Administrative Conference of United States

Marine Safety
Coast Guard

Marketing Quotas
Agricultural Stabilization and Conservation Service

CONTINUED INSIDE

Selected Subjects

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers for $300.00 per year, or $150.00 for six months, payable in advance. The charge for individual copies is $1.50 for each issue, or $1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. 20402.

There are no restrictions on the republication of material appearing in the **Federal Register**.

Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

Nuclear Power Plants and Reactors
Nuclear Regulatory Commission

Oil and Gas Exploration
Land Management Bureau

Pensions
Pension Benefit Guaranty Corporation

Postal Service
Postal Service

Price Support Programs
Commodity Credit Corporation

Quarantine
Animal and Plant Health Inspection Service

Radio
Federal Communications Commission

Satellites
Federal Communications Commission

Toys
Consumer Product Safety Commission

Trade Practices
Federal Trade Commission

Contents

Federal Register
Vol. 49, No. 52
Thursday, March 15, 1984

Administrative Conference of United States
PROPOSED RULES
Recommendations:
9738 Immigration procedures
NOTICES
Meetings:
9760 Judicial Review Committee

Agricultural Marketing Service
PROPOSED RULES
9740 Hops of domestic production; extension of time

Agricultural Stabilization and Conservation Service
RULES
Marketing quotas and acreage allotments:
9707 Tobacco, burley

Agriculture Department
See Agricultural Marketing Service; Agricultural Stabilization and Conservation Service; Animal and Plant Health Inspection Service; Commodity Credit Corporation; Soil Conservation Service.

Animal and Plant Health Inspection Service
RULES
Animal and poultry import restrictions:
9708 Bird quarantine facilities; application approval criteria

Arts and Humanities, National Foundation
NOTICES
Meetings:
9785 Literature Advisory Panel

Civil Aeronautics Board
NOTICES
9798 Meetings; Sunshine Act

Coast Guard
RULES
Ports and waterways safety:
9724 Jacksonville, Fla.; safety zone
9723 Mississippi Aerial River Transit (MART) terminals, New Orleans, La.; safety zone
PROPOSED RULES
Drawbridge operations:
9751 Massachusetts
9750 New Jersey

Commerce Department
See International Trade Administration; National Bureau of Standards; National Oceanic and Atmospheric Administration.

Commodity Credit Corporation
PROPOSED RULES
Loan and purchase programs:
9740 Honey price support program

Commodity Futures Trading Commission
RULES
Registration, etc.:
9722 Temporary licenses and statutory disqualification; correction

Consumer Product Safety Commission
RULES
9717 Squeeze toys; regulation of risks of choking and/or strangulation injury
NOTICES
9798 Meetings; Sunshine Act

Customs Service
PROPOSED RULES
Administrative rulings:
9746 Internal advice procedure

Defense Department
See also Engineers Corps.
NOTICES
Meetings:
9767 DIA Advisory Committee

Education Department
NOTICES
Meetings:
9769 Asbestos Hazards School Safety Task Force

Energy Department
See Energy Information Administration; Federal Energy Regulatory Commission.

Engineers Corps
NOTICES
Environmental statements; availability, etc.:
9768 Ferrells Bridge Dam, Tex.
9768 Northern Olympic Peninsula Shallow, Wash.
9768 Wright Patman Dam and Lake, Tex.

Energy Information Administration
NOTICES:
Meetings:
9770 National Petroleum Council; postponement

Environmental Protection Agency
PROPOSED RULES
Hazardous waste:
9850 Permit program; minor modifications of permits
NOTICES
Committees; establishment, renewals, terminations, etc.:
9770 Scientific Advisory Panel
Grants; State and local assistance:
9771 Wastewater treatment works construction; reallotments; correction

Equal Employment Opportunity Commission
NOTICES
9798 Meetings; Sunshine Act

Export-Import Bank
NOTICES
Meetings:
9771 Advisory Committee

Federal Aviation Administration
RULES
Airworthiness directives:
9714, 9715 Boeing (2 documents)
9716 Transition areas
PROPOSED RULES
9742 Transition areas

Federal Communications Commission
RULES
Common carrier services:
9727 Satellite communications; Alaskan Bush earth stations; ownership and operation policies
PROPOSED RULES
Radio services, special:
9754 Private land mobile services; public safety telecommunication requirements

Federal Deposit Insurance Corporation
NOTICES
9799, 9800 Meetings; Sunshine Act (3 documents)

Federal Election Commission
NOTICES
9798 Meetings; Sunshine Act

Federal Energy Regulatory Commission
NOTICES
9799 Meetings; Sunshine Act

Federal Highway Administration
NOTICES
Environmental statements; availability, etc.:
9795 Monterey County, Calif.; intent to prepare
9795 Vallejo, Calif.; intent to prepare

Federal Home Loan Bank Board
NOTICES
9800 Meetings; Sunshine Act

Federal Maritime Commission
NOTICES
9800 Meetings; Sunshine Act

Federal Reserve System
PROPOSED RULES
9741 Securities credit transactions (G, T, U); margin security
NOTICES
Bank holding company applications, etc.:
9771 Chester State Bancshares, Inc.
9771 Fort Rucker Bancshares, Inc.
9772 Hongkong & Shanghai Banking Corp. et al.
9772 NTC Corp.
9800 Meetings; Sunshine Act

Federal Trade Commission
PROPOSED RULES
9743 Funeral industry practices; staff guidelines

Fish and Wildlife Service
RULES
Migratory bird permits:
9736 Raptors, exemptions and propagation permits, and Federal falconry standards; correction
NOTICES
9775 Agency information collection activities under OMB review

Food and Drug Administration
RULES
Food additives:
9722 Adhesive coatings, etc.; 2,2'-oxamidobis (ethyl 3-(3,5-di-tert-butyl-4-hydroxyphenyl)-propionate); correction
PROPOSED RULES
Food for human consumption:
9749 Flat fish, quick frozen fillets; termination
9749 Ocean perch; quick-frozen fillets; termination

General Services Administration
See also National Archives and Records Service.
RULES
Property management:
9724 Motor vehicles; Federal employee parking; temporary
9725 Systems furniture acquisition; temporary
NOTICES
9773 Agency information collection activities under OMB review

Health and Human Services Department
See also Food and Drug Administration; Public Health Service; Social Security Administration.
NOTICES
Grants; availability, etc.:
9774 Social security and supplemental income benefit demonstration project; medicaid eligibility to severely impaired individuals who work

Indian Affairs Bureau
NOTICES
9775 School construction priorities list, 1985 FY

Interior Department
See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau; Minerals Management Service; National Park Service.

International Trade Administration
NOTICES
Export privileges, action affecting:
9763 Lambert, Robert J., et al.
9761, 9762 Export trade certificates of review; applications (2 documents)
Meetings:
9764 Computer Systems Technical Advisory Committee (2 documents)
9764 Exporters' Textile Advisory Committee

Interstate Commerce Commission
NOTICES
Railroad operation, acquisition, construction, etc.:
9783 Prairie Central Railway Co.
9783 Seaboard System Railroad, Inc.
9783 Southern Pacific Transportation Co.
Railroad services abandonment:
9783 Burlington Northern Railroad Co.

Justice Department
See National Institute of Justice.

Labor Department
See Mine Safety and Health Administration.

Land Management Bureau
RULES
Public land orders:
9726 Idaho
9727 Withdrawals affecting patented or privately owned lands; PLO correction
PROPOSED RULES
Oil and gas leasing:
9752 Noncompetitive leases
NOTICES
Classification and leasing of public lands:
9777 Oregon
Conveyance of public lands:
9776 Montana
9776, 9777 Nevada (8 documents)
9777 Washington
Environmental statements; availability, etc.:
9780 Shell Pipe Line Corp. right-of-way, Colo.
Exchange of public lands for private land:
9778 Arizona (2 documents)
9781 California
Meetings:
9780 Butte District Grazing Advisory Board
9779 Casper District Grazing Advisory Board
Sale of public lands:
9779 Utah
Survey plat filings:
9776 Montana
Withdrawal and reservation of lands:
9780 Wyoming

Libraries and Information Science National Commission
NOTICES
9800 Meetings; Sunshine Act

Management and Budget Office
NOTICES
9844 Budget rescissions and deferrals; cumulative reports

Merit Systems Protection Board
NOTICES
9784 Political activities of Federal employees (Hatch Act), and State and local employees; publication availability and ordering procedures

Mine Safety and Health Administration
PROPOSED RULES
Metal and nonmetal mine safety:
9750 Machinery and equipment; correction

Minerals Management Service
NOTICES
Outer Continental Shelf; development and production plans:
9782 Howell Petroleum Corp.

National Aeronautics and Space Administration
NOTICES
Meetings:
9785 Aeronautics Advisory Committee
9785 Informal Earth System Sciences Committee
9784 Space Applications Advisory Committee

National Archives and Records Service
RULES
Public use of records and donated historical materials:
9725 Fees

National Bureau of Standards
NOTICES
Laboratory Accreditation Program, National voluntary:
9764 Pressure calibration services

National Highway Traffic Safety Administration
NOTICES
Meetings:
9795 National Driver Register Advisory Committee; postponement

National Institute of Justice
NOTICES
Grants, competitive solicitations:
9784 Summer research fellowship program

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
9736 Domestic fishing regulations; enforcement section (boarding procedures)
NOTICES
Marine mammal permit applications, etc.:
9767 Southwest Fisheries Center
9767 Terhune, Dr. J. M.

National Park Service
NOTICES
Environmental statements; availability, etc.:
9782 Snake River, Idaho, Oreg., and Wash.

National Science Foundation
PROPOSED RULES
9757 Acquisition regulations

Nuclear Regulatory Commission
RULES
Production and utilization facilities; domestic licensing:
9711 Codes and standards for nuclear power plants; ASME boiler and pressure vessel code, etc.
NOTICES
Applications, etc.:
9786 Portland General Electric Co. et al.
Meetings:
9786 Three Mile Island, Unit 2 Decontamination Advisory Panel

Pacific Northwest Electric Power and Conservation Planning Council
NOTICES
Meetings:
9787 Hydropower Options Task Force

Pension Benefit Guaranty Corporation
RULES
9856 Plan benefits valuation:
Non-multiemployer plans; additional rates

Personnel Management Office
RULES
9808 Conflict of interests; post employment

Postal Service
PROPOSED RULES
International Mail Manual:
9752 Ireland; International Express Mail service

Public Health Service
NOTICES
Grants; availability, etc.:
9773 Cooperative agreements to support national health promotion programs
Organization, functions, and authority delegations:
9775 Food and Drug Administration; correction

Railroad Retirement Board
NOTICES
Meetings:
9787 Actuarial Advisory Committee

Securities and Exchange Commission
NOTICES
Hearings, etc.:
9787 American Electric Power Co., Inc.
9788 First Midwest Capital Corp.
9789 Ryland Acceptance Corp. Three
Self-regulatory organizations; proposed rule changes:
9791 Midwest Stock Exchange, Inc.
9792 Municipal Securities Rulemaking Board
9790 Stock Clearing Corp. of Philadelphia

Small Business Administration
NOTICES
Disaster loan areas:
9793 Alabama
9793 Iowa
9794 Oklahoma
9794 Virginia
Meetings; regional advisory councils:
009794 Arizona

Social Security Administration
NOTICES
Grants; availability, etc.:
9774 Social security and supplemental income benefit demonstration project; medicaid eligibility to severely impaired individuals who work

Soil Conservation Service
NOTICES
Environmental statements; availability, etc.:
9760 Garrison Creek Watershed, Okla.
9760 St. Jones River Watershed, Del.

Trade Representative, Office of United States
NOTICES
Committees; establishment, renewals, terminations, etc.:
9787 Services Policy Advisory Committee

Transportation Department
See Coast Guard; Federal Aviation Administration; Federal Highway Administration; National Highway Traffic Safety Administration.

Treasury Department
See Customs Service.

Veterans Administration
NOTICES
Environmental statements; availability, etc.:
9796 Bennington, Vt.
Meetings:
9796 Medical Research Service Merit Review Boards
9797 Wage Committee

Separate Parts In This Issue

Part II
9808 Office of Personnel Management

Part III
9844 Office of Management and Budget

Part IV
9850 Environmental Protection Agency

Part V
9856 Pension Benefit Guaranty Corporation

Reader Aids
Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

1 CFR
Proposed Rules:
Ch. III....9738

5 CFR
737....9808

7 CFR
726....9707
Proposed Rules:
991....9740
1434....9740

9 CFR
92....9708

10 CFR
50....9711

12 CFR
Proposed Rules:
207....9741
220....9741
221....9741

14 CFR
39 (2 documents).... 9714, 9715
71....9716
Proposed Rules:
71....9742

16 CFR
1145....9717
Proposed Rules:
453....9743

17 CFR
3....9722

19 CFR
Proposed Rules:
177....9746

21 CFR
175....9722
178....9722
Proposed Rules:
161 (2 documents)....9749

29 CFR
2619....9856

30 CFR
Proposed Rules:
55....9750
56....9750
57....9750
58....9750

33 CFR
165 (2 documents)...9723, 9724
Proposed Rules:
117 (2 documents)...9750, 9751

39 CFR
Proposed Rules:
10....9752

40 CFR
Proposed Rules:
270....9850

41 CFR
Ch. 101 (2 documents)....9724, 9725
105-61....9725

43 CFR
Public Land Orders:
5444 (Corrected by PLO 6527)....9727
6526....9726
6527....9727
Proposed Rules:
3100....9752
3110....9752

47 CFR
25....9727
Proposed Rules:
90....9754

48 CFR
Proposed Rules:
Ch. 25....9757

50 CFR
21....9736
640....9736
642....9736
646....9736
649....9736
650....9736
651....9736
652....9736
654....9736
655....9736
658....9736
661....9736
662....9736
663....9736
671....9736
672....9736
674....9736
675....9736
680....9736
681....9736

Rules and Regulations

Federal Register
Vol. 49, No. 52
Thursday, March 15, 1984

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

7 CFR Part 726

Burley Tobacco Marketing Quota Regulations

AGENCY: Agricultural Stabilization and Conservation Service, USDA.

ACTION: Final rule.

SUMMARY: The Agricultural Stabilization and Conservation Service is amending regulations found at 7 CFR Part 726 to implement certain provisions of the Dairy and Tobacco Adjustment Act of 1983 (Pub. L. 98–180, approved November 29, 1983) with respect to the lease and sale of burley tobacco marketing quota. The effect of this change revises the lease and transfer provisions of the burley tobacco marketing quota program.

DATE: Effective March 15, 1984.

FOR FURTHER INFORMATION CONTACT: Jay S. Poole, Agricultural Program Specialist, Tobacco and Peanuts Division, USDA–ASCS, P.O. Box 2415, Washington, D.C. 20013, (202) 447–2715.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Departmental Regulation 1521–1 and has been classified as "not major." It has been determined that this rule will not result in: (1) An annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State or local governments, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Information collection requirements contained in this regulation (7 CFR Part 726) have been approved by the Office of Management and Budget (OMB) in accordance with the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB numbers 0560–0058 and 0560–0117.

The title and number of the Federal Assistance Program to which this rule applies are: Commodity Loan and Purchases; 10.051, as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since the Agricultural Stabilization and Conservation Service (ASCS) is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

This action is not expected to have any significant impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

This final rule implements certain provisons of the Dairy and Tobacco Adjustment Act of 1983 (hereinafter referred to as "the 1983 Act"), which are applicable to burley tobacco. The major changes required by the Act are as follows:

(1) *Final date for filing transfers by lease.* The 1983 Act amends section 319(g) of the Agricultural Adjustment Act of 1938 to provide that, effective for the 1984 and subsequent crops, a record of transfer of burley tobacco marketing quota by lease and transfer must be filed with the county ASC committee not later than July 1 of any crop year to be effective for that crop year. This change will eliminate what is commonly referred to as "fall leasing" of burley tobacco marketing quota.

(2) *Lease limitation for individual farms.* The 1983 Act further amends section 319(g) of the Agricultural Adjustment Act of 1938 to provide that, effective for the 1984 and subsequent crops of tobacco, not more than 15,000 pounds of burley tobacco marketing quota may be leased and transferred to any farm for any crop year. This reduces from 30,000 pounds the maximum amount of such marketing quota which may be leased and transferred to any farm in a crop year.

Since these changes in program regulations are specifically required by amendments to the Agricultural Adjustment Act of 1938, it has been determined that no further public rulemaking is required. Accordingly, this rule shall become effective upon date of publication in the **Federal Register.**

List of Subjects in 7 CFR Part 726

Marketing quota, Penalties, Reporting and recordkeeping requirements, Tobacco.

Final Rule

PART 726—[AMENDED]

According, 7 CFR Part 726 is amended as follows:

1. The authority citation reads as follows:

Authority: Secs. 301, 313, 314, 314A, 316B, 317, 372–375, 377, 378, 52 Stat. 38, as amended, 47, as amended, 48 as amended, 96 Stat. 210, 215, 75 Stat. 469, as amended, 79 Stat. 66, 52 Stat. 63, as amended, 65–66, as amended, 70 Stat. 206, 7 U.S.C. 1301, 1313, 1314, 1314(b)–1, 1314b–2, 1314c, 1363, 1372–1375, 1377, 1378, Sec. 401, 63 Stat. 1054, as amended, 7 U.S.C. 1421.

2. In § 726.68, paragraph (g)(1) is amended by removing the words "June 30" and inserting in lieu thereof the words "July 1"; paragraph (d)(3)(iv) is deleted and reserved; and paragraphs (d)(2), (d)(4), and (e)(4) are revised as follows:

§ 726.68 Transfer of tobacco marketing quotas by lease, by sale, or by the owner.

* * * * *

(d) * * *

(2) *Subleasing.* The county committee shall not approve a transfer if the effect would be both a transfer to, and from, the farm during the same crop year: *Provided,* That a transfer may be approved within any crop year if quota is transferred from a farm for one or more years and the farm subsequently is combined with another farm that otherwise is eligible to receive quota by lease or by the owner.

(3) * * *

(iv) [Reserved]

* * * * *

(4) *Receiving farm.* A transfer of quota to a farm by lease or by the owner shall not be approved if the pounds of quota being transferred to the farm by lease or

by the owner exceed the smaller of 15,000 pounds or the difference between the farm marketing quota and one-half the result obtained by multiplying the acres of cropland on the farm by the farm yield.

* * * * *

(e) * * *

(4) *When to file.* Filed on or before July 1 of the current year.

* * * * *

Signed at Washington, D.C., March 8, 1984.

Everett Rank,

Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 84-6802 Filed 3-14-84; 8:45 am]

BILLING CODE 3410-05-M

Animal and Plant Health Inspection Service

9 CFR Part 92

[Docket No. 83-136]

Bird Quarantine Facilities

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends the regulations in 9 CFR Part 92 to establish criteria for the selection of applicants for consideration for approval of quarantine facilities for certain birds imported into the United States. The intended effect of this action is to establish a workable and equitable system for determining which applications should be selected for consideration for approval.

EFFECTIVE DATE: April 16, 1984.

FOR FURTHER INFORMATION CONTACT: Dr. Samuel S. Richeson, Import/Export Animals and Products Staff, VS, APHIS, USDA, Room 843, Federal Building, 6505 Belcrest Road, Hyattsville, Maryland, 20782, (301) 436-8172.

SUPPLEMENTARY INFORMATION:.

Background

In a document published in the **Federal Register** on October 12, 1983 (48 FR 46355-46358), the Department proposed an amendment to the regulations (found in 9 CFR Part 92 and referred to below as the regulations) concerning the importation of birds into the United States. Section 92.11(e) provides, with certain exceptions, that each lot of pet birds, commercial birds, zoological birds, or research birds imported from any part of the world shall be entered at certain ports and quarantined at a United States Department of Agriculture quarantine facility or at a privately-operated quarantine facility approved by the Deputy Administrator for Veterinary Services (VS). The regulations in § 92.11(f) set forth requirements for privately-operated bird quarantine facilities.

Comments were solicited in response to the proposal for a 30-day period ending November 14, 1983. Five comments were received. These comments were from importers and other representatives of the commercial bird industry. Based on the reasons set forth in the proposal, the provisions in the proposal have been adopted in the final rule except as explained below. Further, the comments submitted pursuant to the proposal have been carefully considered and are discussed below.

Applications

It was proposed to require applicants to submit an application stating, among other things, the following concerning a prospective bird quarantine facility:

(1) Address where the bird quarantine facility will be located;

(2) A drawing of the floor plan of the facility, showing the location of bird holding areas, equipment storage areas, office areas, clothes storage and change areas, feed storage areas, necropsy room (showing entry and refrigeration), washing areas for equipment, shower areas, ventilation arrangements, and entries and exits;

(3) Whether water source of the facility will be public or private;

(4) Whether disposal of waste from the facility will be by sewer or incinerator, or both.

In support of the proposal to require such information concerning a prospective bird quarantine facility it was stated in the proposal (48 FR 46355) that:

> In order to help discourage frivolous applications which could severely hamper the effectiveness of a selection system, it appears that as a condition for considering applications an applicant should be required to have a premises available and identified on the application form.

The proposal also provided that successful applicants would be required to gain approval for their facility within 18 months of notification of selection for consideration for approval.

One commenter objected to the proposed requirement that the application include information concerning a prospective bird quarantine facility and further asserted that the 18-month period would be adequate to secure a facility and gain approval for the facility. The objection was based on the assertion that requiring such information concerning a prospective bird quarantine facility is contrary to assuring a fair distribution of opportunities because only those owning or leasing a facility or able to afford an option on a facility would have the opportunity to submit an application. The Department acknowledges that requiring the specified information on an application concerning a prospective bird quarantine facility would deter some interested persons from applying who could not afford the cost of assuring the availability of a suitable facility without the assurance of selection for consideration for approval of a facility. Also, the Department agrees that the 18-month period would be adequate to secure a facility and gain approval for the facility. Further, upon re-evaluation it appears that it is more important to establish provisions designed to encourage all interested persons to apply rather than to discourage frivolous applications. Therefore, the information specified above concerning a prospective bird quarantine facility is made optional rather than mandatory.

One commenter suggested that provisions should be added to deter any person from sending in numerous applications in different names. The comment did not make any specific suggestions in this regard. No change is made based on this comment. However, it should be noted that in both the proposal and this document applicants may not submit more applications than the number of announced openings. Applications in excess of the number of announced openings received from a single applicant will not be accepted even if such applicant has used different names on his, her or its applications.

Priority Transfers

It was proposed to allow priority consideration for operators of currently approved facilities who request to transfer operations from a facility at a port of entry where they currently operate to a facility at a port of entry specified in the announcement if the Deputy Administrator, Veterinary Services, determines that there is a change in circumstances beyond the control of the operator which makes it impracticable to continue operations at the currently approved facility, such as termination of services from a Government agency or termination of services from airlines.

Two commenters expressed general support for the concept of providing for priority status.

The proposal also contained a provision that an applicant would not be

given priority status if the granting of approval would result in the applicant having approval to operate more than one facility at a time for which approval had been granted on a priority basis. This limitation was designed to help allow different applicants to have an opportunity to be considered for approval of privately-operated quarantine facilities.

Two commenters requested that this provision limiting priority status be deleted and that applicants be allowed to have priority consideration for transfer of all of their facilities determined by the Deputy Administrator to be affected by a change in circumstances beyond the control of the operator which make it impracticable to continue operations. It was asserted that otherwise there would be "unjust discrimination" against persons who, in reliance on previously adopted regulations, changed their personal situations by constructing and operating privately-owned quarantine facilities but, due to circumstances beyond their control, can no longer operate those facilities.

The rationale for the proposed limitation on priority status must be weighed against the views of the commenters. On balance, it appears more equitable to allow applicants to be considered for priority status for the transfer of any facility regardless of the number of approvals that may have already been granted on a priority basis since such a system would be more likely to restore the operator of multiple privately owned quarantine facilities which have been lost through no fault of the operator to his or her original position.

Accordingly, the final rule sets forth the following procedures for selection of applicants on a priority basis (§ 92.11(f)(5)(iii)):

(iii) If the number of applications for bird quarantine facilities at a specified port of entry exceeds the number of announced openings, priority status for selection shall be given to applications from operators of currently approved facilities who request to transfer operations from a facility at a port of entry where they currently operate to a facility at a port of entry specified in the announcement if the Deputy Administrator, Veterinary Services, determines that there is a change in circumstances beyond the control of the operator which makes it impracticable to continue operations at the currently approved facility, such as termination of services from a Government agency or termination of services from airlines. The following procedures shall apply for selection for consideration of applications eligible for priority status at a specified port of entry:

(A) If the number of applications eligible for priority status does not exceed the number of announced openings, each application eligible for priority status shall be considered for approval of a facility at that port of entry.

(B) If the number of applicants with one or more applications eligible for priority status at a specified port of entry is fewer than the number of openings but the number of applications eligible for priority status exceeds the number of openings, each applicant with one or more applications eligible for priority status shall first be selected for consideration for approval of one facility at that port of entry. Then, if there is a sufficient number of remaining openings at that port of entry, each applicant who submitted two or more applications eligible for priority status shall be selected for consideration for approval of a second facility. However, if the number of applicants who submitted two or more applications eligible for priority status exceeds the number of remaining openings, the applicants to be selected for consideration for approval for a second opening shall be determined based on a drawing. The proceeding shall continue in this manner until there are no more openings.

(C) If the number of applicants with one or more applications eligible for priority status exceeds the number of announced openings, each of these applicants (regardless of the number of applications submitted) will be eligible to be selected for consideration for approval of no more than one new facility at that port of entry, and the selection of such applicants to be considered for approval shall be determined based on a drawing.

These procedures are consistent with the procedures for selection of applicants on a nonpriority basis, and appear to provide an equitable method for selecting priority status applicants.

The final rule in essence adopts the concept that the priority status procedures basically constitute a mechanism for restoring what was lost through no fault of the operator.

Nonsubstantive editorial changes have been made in the final rule for clarity.

This document revises § 92.11(f)(5)(vi) of the proposed rule by adding a sentence to make clear to applicants selected for consideration for approval of a bird quarantine facility that this document does not affect the contingency set forth in the introductory paragraph of § 92.11(f). Approval of bird quarantine facilities are contingent upon the Deputy Administrator, Veterinary Services, determining that adequate personnel are available to provide services required by the facility. It is possible that the availability of personnel could change between the time this Department publishes a notice in the **Federal Register** pursuant to the regulations contained in this document (indicating that there are sufficient personnel to service additional bird quarantine facilities at a specified port) and the time that an applicant selected for consideration for approval pursuant to the regulations contained in this document requests approval. Applicants must be aware that it is therefore possible to be selected for consideration for approval and to spend time and money to acquire and/or build a bird quarantine facility which meets the standards set forth in 9 CFR 92.11 and still be denied approval based upon a determination by the Deputy Administrator, Veterinary Services, that adequate personnel are not available to provide services to the facility. Further applicants should be aware that an application for an import permit for the importation of birds to be moved to an approved bird quarantine facility may be denied if there are not adequate personnel available to provide services at the approved quarantine facility for the shipments to which the application for the import permit applies.

This document also revises § 92.11(f)(5)(vi) of the proposed rule by adding a sentence to make clear to applicants selected for consideration for approval of a bird quarantine facility that approval of such a facility may be refused by the Deputy Administrator if any of the intended operators, partners, officers, directors, holders or owners of 10 per centum or more of the voting stock, or an employee in a managerial or executive capacity listed on the application for approval is or has been convicted of certain specified crimes. This amendment to the proposal merely reiterates the regulations set forth at 9 CFR 92.11(f)(6).

Paperwork Reduction Act

In accordance with section 3504(h) of the Paperwork Reduction Act of 1980 (44 U.S.C. 3504(h)), the information collection provisions that are included in this rule have been approved by the Office of Management and Budget (OMB) and have been given the OMB control number 0579–0040.

Executive Order 12291 and Regulatory Flexibility Act

This action has beem reviewed in accordance with Executive Order 12291 and Secretary's Memorandum 1512–1, and has been determined to be not a major rule. The Department has determined that this action will not have a significant effect on the economy and will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or have significant adverse effects on competition, employment, investment, productivity, innovation, or

on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This document sets forth procedures for the selection of applicants for consideration for approval of privately-operated bird quarantine facilities. It is anticipated that these procedures will be used mostly in the process of replacing facilities that go out of business. No substantial change in either the number of birds imported into the United States or in the number of persons importing birds is anticipated.

It is also anticipated that certain facilities could be relocated. The markets for jobbers, wholesalers, and retailers of birds span multistate areas, and any rearrangement in the location of bird quarantine facilities would only have a minimal impact on such businesses.

Based on the circumstances explained above, Mr. Bert W. Hawkins, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic effect on a substantial number of small entities.

List of Subjects in 9 CFR Part 92

Animal diseases; Canada; Imports; Mexico; Poultry and poultry products; Quarantine; Transportation; Wildlife.

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

Therefore, 9 CFR 92.11(f)(5) is revised to read as follows:

§ 92.11 Quarantine requirements.

* * * * *

(f) * * *

(5) *Selection of applicants for consideration for approval of bird quarantine facilities.* (i) When it is determined by the Deputy Administrator, Veterinary Services, that adequate personnel are available to provide services for one or more bird quarantine facilities in addition to any bird quarantine facilities already being serviced, an announcement will be published in the **Federal Register** specifying the ports of entry at which openings exist and the number of openings at each port of entry. Applications for approval will be accepted only if received by the Import/Export Animals and Products Staff, VS, APHIS, USDA, Federal Building, 6505 Belcrest Road, Hyattsville, Maryland 20782, on or before 60 days after the announcement is published in the **Federal Register.** If there is more than one announced opening at a port of entry, an applicant may submit more than one application but may not submit more applications than the number of announced openings. An applicant shall submit a completed VS Form 17–11,[1] "Application for Approval of Quarantine Facilities for Birds," or shall submit a document which states that it is an application for approval of a quarantine facility for birds and which includes the following information (the same as that called for by VS Form 17–11):

(A) Applicant's name, address, and telephone number;

(B) Status of applicant, such as individual, partnership, or corporation (if incorporated, include State where incorporated and date of incorporation);

(C) Name, title, and address of intended operators, partners, officers, directors, holders or owners of 10 per centum or more of voting stock, and employees in a managerial or executive capacity;

(D) (Optional) Address where the bird quarantine facility will be located;

(E) (Optional) A drawing of the floor plan for the facility showing the location of bird holding areas, equipment storage areas, office areas, clothes storage and change areas, feed storage areas, necropsy room (showing entry and refrigeration), washing areas for equipment, shower areas, ventilation arrangements, and entries and exits;

(F) (Optional) Whether the water source of the facility will be public or private;

(G) (Optional) Whether disposal of waste from the facility will be by sewer or incinerator, or both;

(H) Whether priority status is requested, and, if so, the extenuating circumstances relied on for such request; and

(I) Date; certification by signature of the intended operator, partner, or officer; and title of such individual after the following language: "Application is hereby made for approval of a USDA Approved Quarantine Facility for bird importations. I certify that the information provided herein is true and correct to the best of my knowledge and belief, and agree to comply with the applicable regulations in 9 CFR Part 92."

(ii) If the number of applications for bird quarantine facilities at a specified port of entry does not exceed the number of announced openings, each application shall be considered for approval of a facility at that port of entry.

(iii) If the number of applications for bird quarantine facilities at a specified port of entry exceeds the number of announced openings, priority status for selection shall be given to applications from operators of currently approved facilities who request to transfer operations from a facility at a port of entry where they currently operate to a facility at a port of entry specified in the announcement if the Deputy Administrator, Veterinary Services, determines that there is a change in circumstances beyond the control of the operator which makes it impracticable to continue operations at the currently approved facility, such as termination of services from a Government agency or termination of services from airlines. The following procedures shall apply for selection for consideration applications eligible for priority status at a specified port of entry:

(A) If the number of applications eligible for priority status does not exceed the number of announced openings, each application eligible for priority status shall be considered for approval of a facility at that port of entry.

(B) If the number of applicants with one or more applications eligible for priority status at a specified port of entry is fewer than the number of openings but the number of applications eligible for priority status exceeds the number of openings, each applicant with one or more application eligible for priority status shall first be selected for consideration for approval of one facility at that port of entry. Then, if there is a sufficient number of remaining openings at that port of entry, each applicant who submitted two or more applications eligible for priority status shall be selected for consideration for approval of a second facility. However, if the number of applicants who submitted two or more applications eligible for priority status exceeds the number of remaining openings, the applicants to be selected for consideration for approval for a second opening shall be determined based on a drawing. The proceeding shall continue in this manner until there are no more openings.

(C) If the number of applicants with one or more applications eligible for priority status exceeds the number of announced openings, each of these applicants (regardless of the number of applications submitted) will be eligible to be selected for consideration for approval of no more than one new

[1] VS Form 17–11 is available from the Import/Export Animals and Products Staff, VS, APHIS, USDA, Federal Building, 6505 Belcrest Road, Hyattsville, Maryland 20782.

facility at that port of entry, and the selection of such applicants to be considered for approval shall be determined based on a drawing.

(iv) The following procedures shall apply for consideration of applications not included as eligible for priority status if one or more openings remain for bird quarantine facilities at a specified port of entry after all applications eligible for priority status have been selected for consideration (applicants selected for consideration for approval based on priority status are not eligible to be considered under these provisions for remaining openings in the same drawing in which they received priority status):

(A) If the number of applicants is fewer than the number of remaining openings but the number of applications exceeds the number of remaining openings, each applicant shall first be selected for consideration for approval of one facility at that port of entry. Then, if there is a sufficient number of remaining openings, each applicant who submitted two or more applications shall be selected for consideration for approval of a second facility. However, if the number of applicants who submitted two or more applications exceeds the number of remaining openings, the applicants to be selected for consideration for approval for a second opening shall be determined based on a drawing. The proceeding shall continue in this manner until there are no more openings.

(B) If the number of applicants exceeds the remaining number of announced openings, an applicant (regardless of the number of applications submitted by such applicant) will be eligible to be selected for consideration for approval of no more than one new facility at that port of entry, and the selection of such applicants to be considered for approval shall be determined based on a drawing.

(v) If a drawing is to be held, the participants in the drawing shall be notified by registered or certified mail of the date, place, and time of the drawing so that they may attend; however, attendance by participants is not required.

(vi) Applicants selected for consideration for approval of a bird quarantine facility shall be notified of such selection by registered or certified mail. As a condition of approval as a bird quarantine facility, the facility must comply with the requirements set forth in this section within 18 months from the date of notification. The Deputy Administrator, Veterinary Services, may refuse approval of any bird quarantine facility if an intended operator or a person responsibly connected with the business of the quarantine facility is or has been convicted of any crime set forth in paragraphs (f)(6)(ii)(B) or (f)(6)(ii)(C) of this section. Before a decision is made with respect to the eligibility of any facility for approval, a personal inspection of the facility shall be made by a Veterinary Medical Officer of Veterinary Services, to determine whether it complies with the standards set forth in this section. Approval of any bird quarantine facility shall be contingent on a determination made by the Deputy Administrator, Veterinary Services, that adequate personnel are available to provide services required by the facility if approved.

* * * * *

(Sec. 2, 32 Stat. 792, as amended; Secs. 2, 4, 11, 76 Stat. 129, 130, 132; 21 U.S.C. 111, 134a, 134c, 134f, 7 CFR 2.17, 2.51, 371.2(d))

Done at Washington, D.C., this 12th day of March 1984.

J. K. Atwell,

Deputy Administrator, Veterinary Services.

[FR Doc. 84-6927 Filed 3-14-84; 8:45 am]

BILLING CODE 3410-34-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Codes and Standards for Nuclear Power Plants

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Commission is amending its regulations which incorporate by reference national codes and standards for the construction of nuclear power plant components. The amendments increase specific references to the ASME Boiler and Pressure Vessel Code to include subsections that provide rules for the construction of certain safety systems and that clarify existing regulations by removing obsolete provisions no longer applicable. This action establishes enforceable requirements to replace previous guidance. In addition, the amendments will ensure appropriate use of the referenced code and clarify NRC application requirements.

EFFECTIVE DATE: May 14, 1984.

FOR FURTHER INFORMATION CONTACT: Mr. A. Taboada, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 443-7903.

SUPPLEMENTARY INFORMATION: On April 13, 1982, the Nuclear Regulatory Commission published in the **Federal Register** (47 FR 15801) proposed amendments to its regulation, 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," which would amend § 50.55a, "Codes and Standards." The proposed amendments constituted a general revision of § 50.55a designed to update NRC requirements after 10 years of experience and make them more consistent with pertinent national standards. More specifically, the proposed amendments would have (a) added specific references to parts of Section III of the ASME Boiler and Pressure Vessel Code which apply to the construction of Classes 2 and 3 components, (b) deleted obsolete references and provisions, and (c) simplified the procedure for authorizing alternatives to certain NRC requirements.

Interested persons were invited to submit written comments by June 14, 1982. Twelve letters of comment were received. Of these, seven commentors supported, in general, the main provision of the proposed amendments to add specific references to additional parts of the ASME Code. One commentor disagreed. Another commentor objected to deleting the exemption from the code requirement for applying the Code N Symbol. Most of the adverse comments dealt with the application of specific requirements. A brief summary of the more significant adverse comments and staff responses follows.

Eight of the commentors objected to the proposed provisions that applied to the classification of components used for determining which part of the ASME Code should apply. Three of the eight replies came directly from the American Nuclear Society (ANS) Standards Committee and contained detailed objections to the classification provisions and recommended that the rule apply the classification systems developed by ANS as set out in the draft standards ANS 51.1 and ANS 52.1. Five of the eight commentors endorsed the letters sent by ANS.

To resolve the question of component classification, the staff met on September 15, 1982, with representatives of ANS and other interested organizations and discussed in detail the existing NRC and industry practices for classification of safety-related components and related problems. Those persons attending the meeting agreed that classification is more appropriately a subject for a regulatory

guide than for a regulation since classifications are frequently plant specific and involve so many variables that regulatory controls need to be more flexible. As a result, the NRC has revised the final rule to eliminate detailed classification of components. Instead, general guidance has been added for establishing the classifications. Further, the NRC staff has agreed to evaluate the ANS classification systems for referencing in a Regulatory Guide.

A copy of the comments received on the proposed rule and an abstract of the comments which gives the staff response to each issue raised by the commentors is available for public inspection and copying for a fee at the Commission's Public Document Room at 1717 H Street NW., Washington, DC. Single copies may be obtained by written request to the Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: A. Taboada.

Rulemaking Background

Commission policy, stated in General Design Criterion 1, "Quality Standards and Records" (10 CFR Part 50, Appendix A) and in § 50.55a, prescribes that structures, systems, and components important to safety be designed, fabricated, erected, and tested to quality standards commensurate with the importance of the safety function to be performed. In this regard, on June 12, 1971 (36 FR 11423), the Commission incorporated by reference in § 50.55a several codes published by the American Society of Mechanical Engineers (ASME) to be applied to the construction of components of the reactor coolant pressure boundary of water-cooled nuclear power reactors. Section III of the ASME Boiler and Pressure Vessel Code, applicable at that time only to nuclear vessels, was incorporated by reference to establish standards for vessels. Other ASME codes (described below) of more general application were incorporated by reference to establish standards for piping, pumps, and valves.

Subsequently, the ASME Boiler and Pressure Vessel Code Committee expanded Section III of the Code to apply to other nuclear power plant components (including piping, pumps, and valves) in addition to nuclear vessels. The expansion included many of the appropriate provisions from the more general codes incorporated by reference in § 50.55a on June 12, 1971.

On February 12, 1976 (41 FR 6256), the Commission amended § 50.55a to make the expanded Section III effective code for piping, pumps, and valves of the reactor coolant pressure boundary for water-cooled nuclear plants for which construction permits were issued on or after July 1, 1974. The amendment limited use of the more general codes to plants for which construction permits were issued before July 1, 1974.

Section III of the Code is regularly updated by ASME in new editions and addenda to include new developments and to reflect experience with the use of the Code. Those parts of the new editions and addenda that pertain to the reactor coolant pressure boundary are reviewed by the Commission staff and, if acceptable, are incorporated by reference in § 50.55a. Although not specifically included in the regulations, the remaining parts of Section III that pertain to other systems are also reviewed by the Commission staff and, if acceptable, are used in the evaluation of specific license applications. Several parts of Section III that apply to Class 2 and 3 components have been used as guidance in this manner for approximately 10 years and are referenced in Regulatory Guide 1.26, "Quality Group Classifications and Standards for Water-, Steam-, and Radioactive-Waste-Containing Components of Nuclear Power Plants."

Presently, other parts of the ASME Nuclear Code (Section III) cover metal containments, component supports, core support structures and concrete vessels. It is the intent of the Commission to incorporate by reference specific parts of the ASME Nuclear Code after appropriate evaluations and as adequate experience with use of each part of the Code confirms its acceptability.

Substance of the Final Rule

Now that experience has shown additional parts of Section III of the ASME Boiler and Pressure Vessel Code to be adequate for use on a general basis, the Commission is adding specific references to these additional parts in § 50.55a. These additions include the requirements for Class 2 Components, which are found in Subsections NC and NCA of the Code, and the requirements of Class 3 Components, which are found in Subsections ND and NCA of the Code.

To clarify the requirements of § 50.55a, the Commission is also deleting obsolete incorporations by reference of general codes which are superseded by Section III of the ASME Code. However, any previous acceptance of general codes by the Commission for nuclear plants for which construction permits were issued prior to these deletions will continue to be in effect, and deletion of these Codes from § 50.55a should not be construed otherwise. The Codes being deleted include:

(a) For piping of the Reactor Coolant Pressure Boundary—

- American Standard Code for Pressure Piping, ASA B31.1
- USA Standard Code for Pressure Piping, USAS B31.1.0
- USA Standard for Nuclear Power Piping, USAS B31.7
- ASA B31.1 Code Cases N7, N9 and N10

(b) For pumps of the Reactor Coolant Pressure Boundary—

- Draft ASME Code for Pumps and Valves for Nuclear Power
- ASA B31.1 Code Cases N7, N9, and N10

(c) For values of the Reactor Coolant Pressure Boundary—

- American Standard Code for Pressure Piping ASA B31.1
- USA Standard Code for Pressure Piping USAS B31.1.0
- Draft ASME Code for Pumps and Valves for Nuclear Power
- ASA B31.1 Code Cases N2, N7, N9 and N10

The Commission is also making two procedural changes in the amendment to § 50.55a. One change deals with the need for NRC authorization for a proposed alternative to requirements in the regulation. The amendment clarifies the existing regulation by providing that the Director of the Office of Nuclear Reactor Regulation may authorize alternatives to the requirements in § 50.55a after demonstration by the applicant that (a) the proposed alternative would provide an acceptable level of quality and safety or (b) compliance with specific requirements would result in a hardship or unusual difficulty without a compensating increase in the level of quality or safety.

The other procedural change deletes the obsolete provision of paragraph (a) that exempts nuclear components constructed to ASME Code rules from the Code requirement that the Code N-symbol stamp be applied to these components. This exemption was initiated when there was no provision for foreign suppliers to comply with the administrative enforcement aspect of the Code. Previously, foreign suppliers, fully qualified in other respects, could not be issued a Code N-symbol stamp to apply to components and, hence, would have been excluded from supplying components for domestic nuclear plants. This situation has been changed and foreign suppliers may now be issued Code N-symbol stamps.

Regulatory Analysis

The Commission has prepared a regulatory analysis for this regulation. The analysis examines the costs and benefits of the rule as considered by the Commission. A copy of the regulatory analysis is available for inspection and copying for a fee at the NRC Public Document Room, 1717 H Street, NW., Washington, D.C. Single copies of the analysis may be obtained from A. Taboada, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, telephone (301) 443-7903.

Paperwork Reduction Act Statement

The application, reporting and recordkeeping requirements contained in this proposed regulation have been approved by the Office of Management and Budget; OMB approval No. 3151-0011.

Regulatory Flexibility Statement

This rule (§ 50.55a) requires that certain nuclear power plant components be constructed to the nuclear section of the ASME Boiler and Pressure Vessel Code, the standard used by the nuclear industry to comply with the NRC General Design Criteria and Quality Assurance Criteria. To attest that a component has been found to meet all of the specified Code requirements, the ASME Code requires that the component be stamped with a Code N-Stamp issued to manufacturers qualified through an ASME accreditation survey. The ASME Code also calls for specific inspections and verifications of records by an independent Authorized Inspection Agency (AIA) established by a legal authority (state or municipality). This amendment to § 50.55a expands the applicability of the ASME Code and removes obsolete provisions and the exemption, previously in the rule, that the Code N Symbol Stamp need not be applied.

The direct cost incurred by a small manufacturer as a result of this amendment will vary depending on the circumstances. An estimated 550 manufacturers, approximately 10% of which may be small manufacturers, are already certified as N-Stamp holders by ASME, and it is assumed that they would not incur new costs. An ASME accreditation survey (i.e., audit and evaluation) costs a manufacturer an average of $9000 and recurs at 3 year intervals. The cost for Authorized Inspection Agency services is approximately $250 per day per inspector plus expenses. This service for a small manufacturer would typically include two (one-day) audits per year and three inspection visits per order but would vary depending on the complexity of the components being manufactured.

On this basis, the direct cost for a small manufacturer to maintain code accreditation and provide the required third party (AIA) inspection is estimated to be as high as $3500 per year assuming that the cost of inspection visits are applied to the price of the component. For multiorders the cost per order for accreditation would be less.

Approximately 30 new firms per year, some of which are expected to be small firms, apply for ASME accreditation to be N stamp holders. For these firms, particularly if new to the nuclear field, additional indirect costs may be incurred in establishing and maintaining an ASME certified shop. Such indirect costs might result from complying with, for example, code requirements for qualifying welders, establishing specific quality control programs, and maintaining appropriate procedures and records. However, since Appendices A and B of 10 CFR Part 50 already require quality standards and a quality assurance program that parallels the ASME Code requirements, and in fact, the ASME Code has become the NRC and industry standard for compliance with these appendices, the costs associated with meeting requirements of Appendices A and B are estimated to be substantially equivalent to the cost of meeting ASME Code requirements. Therefore, the NRC estimates that no major additional cost would be incurred as a result of this rule, by a small manufacturing shop providing nuclear quality products.

The NRC requested comments on the economic impact of this rule on small businesses in the proposed amendment. No comments were received from small businesses. However, two operating utilities commented that this rule would, in effect, preclude the occasional purchase of spare parts or renewal parts from some small shops who probably would not find it economically feasible to establish and maintain an ASME certified shop. NRC estimates that the number of small shops so affected would be few and would not constitute a substantial number of the small businesses involved in nuclear component construction. Further, the rule contains a provision to permit alternatives to specific ASME Code requirements, in case of hardships, that would, in effect, permit the use of such uncertified shops if an equivalent level of quality and safety were provided.

Thus, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 605(b), the NRC hereby certifies that this rule will not have a significant economic impact upon a substantial number of small entities.

List of Subjects in 10 CFR Part 50

Antitrust, Classified information, Fire prevention, Incorporation by reference, Intergovernmental relations, Nuclear power plants and reactors, Penalty, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and section 553 of Title 5 of the United States Code, the following amendments to 10 CFR Part 50 are published as a document subject to codification.

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. The authority citation for Part 50 continues to read as follows:

Authority: Secs. 103, 104, 161, 182, 183, 186, 189, 68 Stat. 936, 937, 948, 953, 954, 955, 956, as amended, sec. 234, 83 Stat. 1244, as amended (42 U.S.C. 2133, 2134, 2201, 2232, 2233, 2236, 2239, 2282); secs. 201, 202, 206, 88 Stat. 1242, 1244, 1246, as amended (42 U.S.C. 5841, 5842, 5846), unless otherwise noted.

Section 50.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Sections 50.57(d), 50.58, 50.91, and 50.92 also issued under Pub. L. 97-415, 96 Stat. 2071, 2073 (42 U.S.C. 2133, 2239). Section 50.78 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Sections 50.80-50.81 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Sections 50.100-50.102 also issued under sec. 186, 68 Stat. 955 (42 U.S.C. 2236).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273), §§ 50.10 (a), (b), and (c), 50.44, 50.46, 50.48, 50.54, and 50.80(a) are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); §§ 50.10 (b) and (c) and 50.54 are issued under sec. 161i, 68 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§ 50.55(e), 50.59(b), 50.70, 50.71, 50.72, 50.73 and 50.78 are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

2. In § 50.55a, paragraph (a)(2) is revised, a new paragraph (a)(3) is added; paragraphs (c), (d), and (e) are revised to read as follows; and paragraphs (f) and (j) are deleted and the space is reserved:

§ 50.55a Codes and Standards.

* * * * *

(a) * * *

(2) System and components of boiling and pressurized water-cooled nuclear power reactors must meet the requirements of the ASME Boiler and Pressure Vessel Code specified in paragraphs (b), (c), (d), (e), and (g) of

this section. Protection systems of nuclear power reactors of all types must meet the requirements specified in paragraph (h) of this section.

(3) Proposed alternatives to the requirements of paragraphs (c), (d), (e), (g), and (h) of this section or portions thereof may be used when authorized by the Director of the Office of Nuclear Reactor Regulation. The applicant must demonstrate that (i) the proposed alternatives would provide an acceptable level of quality and safety, or (ii) compliance with the specified requirements of this section would result in hardship or unusual difficulties without a compensating increase in the level of quality and safety.

* * * * *

(c) *Reactor coolant pressure boundary.* (1) Components which are part of the reactor coolant pressure boundary must meet the requirements for Class 1 components in Section III [4], [5] of the ASME Boiler and Pressure Vessel Code, except as provided in paragraphs (c)(2), (c)(3), and (c)(4) of this section.

(2) Components which are connected to the reactor coolant system and are part of the reactor coolant pressure boundary as defined in paragraph 50.2(v) of this part need not meet the requirements of paragraph (c)(1) of this section, Provided:

(i) In the event of postulated failure of the component during normal reactor operation, the reactor can be shut down and cooled down in an orderly manner, assuming makeup is provided by the reactor coolant makeup system; or

(ii) The component is or can be isolated from the reactor coolant system by two valves in series (both closed, both open, or one closed and the other open). Each open valve must be capable of automatic actuation and, assuming the other valve is open, its closure time must be such that, in the event of postulated failure of the component during normal reactor operation, each valve remains operable and the reactor can be shut down and cooled down in an orderly manner, assuming makeup is provided by the reactor coolant makeup system only.

(3) The Code Edition, Addenda, and optional Code Cases [6] to be applied to components of the reactor coolant pressure boundary must be determined by the provisions of paragraph NCA-1140, Subsection NCA of Section III of the ASME Boiler and Pressure Vessel Code, but (i) the edition and addenda applied to a component must be those which are incorporated by reference in paragraph (b)(1) of this section, (ii) the ASME Code provisions applied to the pressure vessel may be dated no earlier than the Summer 1972 Addenda of the 1971 edition, (iii) the ASME Code provisions applied to piping, pumps, and valves may be dated no earlier than the Winter 1972 Addenda of the 1971 edition, and (iv) ASME Code Cases [6] must have been determined suitable for use by the NRC.

(4) For a nuclear power plant whose construction permit was issued prior to (insert the effective date of the amendment) the applicable Code Edition and Addenda for a component of the reactor coolant pressure boundary continue to be that Code Edition and Addenda that were required by Commission regulations for such component at the time of issuance of the construction permit.

(d) *Quality Group B components.* (1) For a nuclear power plant whose application for a construction permit is docketed after (insert the effective date of the amendment) components classified Quality Group B [9] must meet the requirements for Class 2 Components in Section III of the ASME Boiler and Pressure Vessel Code.

(2) The Code Edition, Addenda, and optional Code Cases [6] to be applied to the systems and components identified in paragraph (d)(1) of this section must be determined by the rules of paragraph NCA-1140, Subsection NCA of Section III of the ASME Boiler Vessel and Pressure Code, but (i) the edition and addenda must be those which are incorporated by reference in paragraph (b)(1) of this section, (ii) the ASME Code provisions applied to the systems and components may be dated no earlier than the 1980 Edition, and (iii) the ASME Code Cases [6] must have been determined suitable for use by the NRC.

(e) *Quality Group C components:* (1) For a nuclear power plant whose application for a construction permit is docketed after May 14, 1984 components classified Quality Group C [9] must meet the requirements for Class 3 components in Section III of the ASME Boiler and Pressure Vessel Code.

(2) The Code Edition, Addenda, and optional Code Cases [6] to be applied to the systems and components identified in paragraph (e)(1) of this section must be determined by the rules of paragraph NCA-1140, subsection NCA of Section III of the ASME Boiler and Pressure Vessel Code, but (i) the edition and addenda must be those which are incorporated by reference in paragraph (b)(1) of this section, (ii) the ASME Code provisions applied to the systems and components may be dated no earlier than the 1980 Edition, and (iii) the ASME Code Cases [6] must have been determined suitable for use by the NRC.

3. In § 50.55a, footnotes 2 and 3 are removed and reserved, footnote 6 is revised and footnote 9 is added to read as follows:

Footnote 6

[6] ASME Code cases which have been determined suitable for use by the Commission staff are listed in NRC Regulatory Guide 1.84, "Code Case Acceptability—ASME Section III Design and Fabrication" and NRC Regulatory Guide 1.85, "Code Case Acceptability—ASME Section III Materials." The use of other Code cases may be authorized by the Director of the Office of Nuclear Reactor Regulation upon request pursuant to § 50.55a(a)(3).

* * * * *

Footnote 9

[9] Guidance for quality group classifications of components which are to be included in the safety analysis reports pursuant to § 50.34(a) and § 50.349b) may be found in Regulatory Guide 1.26, "Quality Group Classifications and Standards for Water-, Steam-, and Radiological-Waste-Containing Components of Nuclear Power Plants," and in Section 3.2.2 of NUREG-0800, "Standard Review Plan for Review of Safety Analysis Reports for Nuclear Power Plants."

Dated at Bethesda, MD this 24th day of February 1984.

For the Nuclear Regulatory Commission.

William J. Dircks,

Executive Director for Operations.

[FR Doc. 84-6953 Filed 3-14-84; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 82-ASW-61; Amdt. 39-4825]

Boeing Vertol Model 234 Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action publishes in the Federal Register and makes effective as to all persons an amendment to an existing airworthiness directive (AD) which was previously made effective as to all known U.S. owners and operators of Boeing Vertol Model 234 helicopters by individual telegrams. This amendment changes the initial compliance time of AD 82-20-06 from 60 hours to 25 hours for forward main rotor hubs and the total time on the forward main rotor hubs for the initial inspection from 700 hours to 450 hours. This amendment is needed since five forward main rotor hubs were found with hub cracks at between 607 and 698 hours in service on them.

DATES: Effective March 16, 1984, to all persons except those to whom it was made immediately effective by telegraphic AD T82-20-06R1 issued December 9, 1983, which contained this amendment.

Compliance required as prescribed in the body of AD after the effective date of this AD unless already accomplished.

ADDRESSES: The applicable service information may be obtained from Boeing Vertol Company, Boeing Center, P.O. Box 1858, Philadelphia, Pennsylvania 19142. These documents may be examined at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas 76106.

FOR FURTHER INFORMATION CONTACT: Joseph E. Chrastil, ANE-172, New York Aircraft Certification Office, Federal Aviation Administration, 181 South Franklin Avenue, Valley Stream, New York 11581, telephone number (516) 791-6221.

SUPPLEMENTARY INFORMATION: On December 9, 1983, telegraphic AD T82-20-06R1 was issued and made effective immediately to all known U.S. owners and operators of Boeing Vertol Model 234 helicopters. Amendment 39-4467 (47 FR 43016), AD 82-20-06, was issued October 15, 1982, due to fatigue cracks being found in main rotor hubs at 1,027 and 1,429 hours' time in service. The AD required an initial and repetitive inspection of forward and aft main rotor hubs and removal and replacement of a cracked hub prior to further flight. The AD also required inspections for clearance and proper torque of the hub/shaft assembly. After issuing Amendment 39-4467, five forward main rotor hubs were found with hub cracks ranging from 607 to 698 hours' total time in service.

Therefore, the FAA is amending Amendment 39-4467 by reducing the initial inspection threshold for forward hubs from 700 to 450 hours' total time in service and further requiring an inspection within 25 hours' time in service after the effective date of this amendment for those forward rotor hubs that have attained 450 or more hours of service. The repetitive inspection interval specified in AD 82-20-06 is not changed by this amendment.

Ten aircraft, of which two are U.S. registered, may be affected by this amendment for an estimated cost of $18,000. None of these aircraft are owned by a small entity.

Since it was found that immediate corrective action was required, notice and public procedure thereon were impracticable and contrary to public interest, and good cause existed to make the AD revision effective immediately by individual telegrams issued December 9, 1983, to all known U.S. owners and operators of Boeing Vertol Model 234 helicopters. These conditions still exist and the AD revision is hereby published in the **Federal Register** as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, and Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by amending Amendment 39-4467 (47 FR 43016), AD 82-20-06 to change the first paragraph to read as follows:

* * * * *

"To inspect the aft main rotor hub for cracks, within the next 60 hours' time in service from the effective date of this AD or before the accumulation of 700 hours' time in service, whichever comes later, and to inspect the forward main rotor hub for cracks, within the next 25 hours' time in service from the effective date of this AD revision or before the accumulation of 450 hours' time in service, whichever comes later, accomplish the following."

* * * * *

This amendment becomes effective March 16, 1984 as to all persons except those persons to whom it was made immediately effective by telegraphic AD No. T82-20-06R1 issued December 9, 1983, which contained the amendment. This amendment amends Amendment 39-4467 (47 FR 43016), AD 82-20-06.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); 49 U.S.C. 106(g) [Revised, Pub. L. 97-449, January 12, 1983]; 14 CFR 11.89)

Note.—The FAA has determined that this regulation is an emergency regulation that is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "**FOR FURTHER INFORMATION CONTACT.**"

Issued in Fort Worth, Texas on February 28, 1984.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 84-6887 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 39

[Docket No. 83-ASW-61; Amdt. 39-4823]

Boeing Vertol Model 234 Series Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action publishes in the **Federal Register** and makes effective as to all persons an amendment adopting a new airworthiness directive (AD) which was previously made effective as to all known U.S. owners and operators of Boeing Vertol Model 234 series helicopters by individual telegrams. The AD requires an initial and repetitive inspection of main rotor head tie bars with certain serial numbers. The AD is prompted by a report of cracking of a main rotor head tie bar. Failure of a main rotor head tie bar could lead to separation of a main rotor blade and subsequent loss of the helicopter.

DATES: Effective March 14, 1984, to all persons except those to whom it was made immediately effective by telegraphic AD T84-03-51 issued January 27, 1984, which contained this amendment.

Compliance required as prescribed in the body of AD after the effective date of this AD unless already accomplished.

ADDRESSES: The applicable service information may be obtained from Boeing Vertol Company, Boeing Center, P.O. Box 1858, Philadelphia, Pennsylvania 19142. These documents may be examined at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Forth Worth, Texas.

FOR FURTHER INFORMATION CONTACT: Joseph E. Chrastil, ANE-172, New York Aircraft Certification Office, Federal Aviation Administration, 181 South Franklin Avenue, Valley Stream, New York 11581, telephone number (516) 791-6221.

SUPPLEMENTARY INFORMATION: On January 27, 1984, telegraphic AD T84-03-51 was issued and made effective immediately to all known U.S. owners and operators of Boeing Vertol Model 234 series helicopters. The AD required an initial and repetitive inspection of main rotor head tie bars with certain

serial numbers and removal and replacement of cracked tie bars prior to further flight. The AD was prompted by a report of a cracked aft main rotor head tie bar which was attributed to damage cause by improper installation of the tie bar bushing. Failure of a main rotor head tie bar could lead to separation of a main rotor blade and subsequent loss of the helicopter. The proper assembly procedure has been used on tie bars with serial numbers A13208 and above. The AD also does not apply to tie bars with serial numbers A13207 and below which are identified with the letter "B" after the serial number because they have been reworked.

Ten aircraft may be affected by this AD for an estimated annual cost of $47,000. None of these aircraft are owned by a small entity.

Since it was found that immediate corrective action was required, notice and public procedure thereon were impracticable and contrary to public interest, and good cause existed to make the AD revision effective immediately by individual telegrams issued January 27, 1984, to all known U.S. owners and operators of Boeing Vertol Model 234 helicopters. These conditions still exist and the AD revison is hereby published in the **Federal Register** as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, and Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new airworthiness directive:

Boeing Vertol Company: Applies to Boeing Vertol Model 234 series helicopters certificated in all categories.

Compliance is required as indicated.

To prevent possible hazards in flight associated with cracking of the main rotor head tie bars, accomplish the following:

(a) Unless already accomplished, within the next 25 hours' time in service from the effective date of this AD or before the accumulation of 450 hours' time in service, whichever comes later, and thereafter as specified in paragraphs (c) and (d) of this AD, visually inspect for cracks in the forward main rotor tie bars P/N 114R21551 with serial numbers A13207 and below. If the letter "B" is shown after the serial number, this AD does not apply.

(b) Unless already accomplished, within the next 25 hours' time in service from the effective date of this AD or before the accumulation of 550 hours' time in service, whichever comes later, and thereafter as specified in paragraphs (c) and (d) of this AD, visually inspect for cracks in the aft main rotor tie bars P/N 114R21551 with serial numbers A13207 and below. If the letter "B" is shown after the serial number, this AD does not apply.

(c) After the initial inspections in paragraphs (a) and (b) or the inspections in paragraph (d), repeat visual inspections of tie bars at intervals not to exceed 450 hours' time in service for tie bars in paragraph (a) and 550 hours' time in service for paragraph (b).

(d) Whenever a main rotor head is disassembled to inspect or replace the hub, horizontal hinge pin, or pitch shaft, conduct the inspection of tie bars specified in paragraph (a) or (b).

(e) Remove from service tie bars having a crack and replace with a serviceable part prior to further flight.

(f) An equivalent method of compliance with this AD may be used when approved by the Manager, New York Aircraft Certification Office, 181 South Franklin Avenue, Valley Stream, New York, 11581.

(g) In accordance with FAR 21.197, flight is permitted to a base where the requirements of this AD may be accomplished.

This amendment becomes effective March 14, 1984, as to all persons except those persons to whom it was made immediately effective by telegraphic AD No. T84-03-51 issued January 27, 1984, which contained the amendment.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); 49 U.S.C. 106(g) [Revised, Pub. L. 97-449, January 12, 1983]; 14 CFR 11.89.)

Note.—The FAA has determined that this regulation is an emergency regulation that is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "**FOR FURTHER INFORMATION CONTACT.**"

Issued in Fort Worth, Texas, on February 27, 1984.

C. R. Melvgin, Jr.,

Director, Southwest Region.

[FR Doc. 84-6886 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 84-ASW-1]

Designation of Transition Area; Perry, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment will designate a transition area at Perry, OK. The intended effect of the amendment is to provide controlled airspace for aircraft executing a new standard instrument approach procedure (SIAP) to the Perry Municipal Airport. This amendment is necessary since a new SIAP utilizing the Pioneer VORTAC has been developed and a 700-feet transition area will provide protection of aircraft arriving/departing the airport under instrument flight rules (IFR). Coincident with this action, the airport is changed from visual flight rules (VFR) to IFR.

EFFECTIVE DATE: May 10, 1984.

FOR FURTHER INFORMATION CONTACT: Kennth L. Stephenson, Airspace and Procedures Branch (ASW-535), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, telephone (817) 877-2630.

SUPPLEMENTARY INFORMATION:

History

On January 27, 1984, a notice of proposed rulemaking was published in the **Federal Register** (49 FR 3489) stating that the Federal Aviation Administration proposed to designate the Perry, OK, transition area. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Comments were received without objections. Except for editorial changes, this amendment is that proposed in the notice.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones and/or transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, by the Administrator, Subpart G of Part 71, Section 71.181, of the Federal Aviation Regulations (14 CFR Part 71) as republished in Advisory Circular AC 70-3A dated January 3, 1983, is amended, effective 0901 GMT, May 10, 1984, as follows:

Perry, OK New

That airspace extending upwards from 700 feet above the surface within a 6.5-mile

radius of the Perry Municipal Airport (latitude 36°23'06"N., longitude 97°16'22"W.).

(Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)); sec. 6(c), 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.61(c).)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigtion, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Forth Worth, TX, on March 6, 1984.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 84-6884 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-13-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1145

Risks of Choking and/or Strangulation Injury Associated With Squeeze Toys

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: The Commission is issuing a rule to transfer from the Federal Hazardous Substances Act (FHSA) to the Consumer Product Safety Act (CPSA) regulation of risks of choking and/or suffocation injury which may be presented by squeeze toys made from compressible materials if those toys become lodged in the throat.[1] However, the risks of injury being transferred by this rule do not include any risks which are addressed by the Commission's small parts regulations issued under the FHSA. The Commission is issuing this transfer rule because, in the event action is necessary to address the choking/suffocation risks, public notification or remedial action can be accomplished more expeditiously and effectively under the CPSA than under the FHSA.

[1] Commissioner Terrence M. Scanlon voted against issuance of this rule and issued a dissenting statement, which is available in the Commission's public reading room, 8th floor, 1111 18th Street, NW., Washington, D.C., or by calling the Office of the Secretary (301) 492-6800.

EFFECTIVE DATE: March 15, 1984.

FOR FURTHER INFORMATION CONTACT: Lynn Lichtenstein, Trial Attorney, Division of Administrative Litigation, Consumer Product Safety Commission, Washington, D.C. 20207. Telephone: (301) 492-6626.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of January 3, 1983 (48 FR 37), the Commission proposed a rule to transfer from the Federal Hazardous Substances Act (FHSA, 15 U.S.C. 1261 *et seq.*) to the Consumer Product Safety Act (CPSA, 15 U.S.C. 2051 *et seq.*) regulation of a possible risk of choking and/or suffocation injury that may be associated with squeeze toys made from compressible materials if such toys become lodged in the throat after receiving information about deaths by choking and suffocation of two infants which resulted after the handles of squeeze toys had lodged in the children's throats. The toys involved in these deaths were made from compressible materials, and had handles with a smooth, cylindrical configuration and a flared or bulbous end. The Commission had also received reports of two other suffocation deaths and a consumer complaint of one non-fatal choking incident, all of which involved squeeze toys with similar characteristics.

The risk of injury which was the subject of the proposed rule does not include any risks that are addressed by the Commission's small parts regulations issued under the FHSA and published at 16 CFR 1500.18(a)(9) and Part 1501.

Background

The proposal to regulate under the CPSA was made in accordance with section 30(d) of that Act (15 U.S.C. 2079(d)), which provides:

> A risk of injury which is associated with a consumer product and which could be eliminated or reduced to a sufficient extent by action under the Federal Hazardous Substances Act . . . may be regulated under this Act [the CPSA] only if the Commission by rule finds that it is in the public interest to regulate such risk of injury under this Act.

In the notice proposing the transfer rule, the Commission expressed a preliminary finding that transfer of the risks of choking and/or strangulation injury which may be associated with squeeze toys made from compressible materials is in the public interest because notification to consumers and corrective action could be accomplished more expeditiously by action under the CPSA in the event the Commission believes that such products present a hazard to the public.

Regulation Under FHSA

The risks of injury associated with squeeze toys, decribed above, could be regulated by the Commission under provisions of the FHSA. The squeeze toys described in this notice are "toys or other articles intended for use by children" as that phrase is used in sections 2(f)(1)(D) and 3(e) of the FHSA (15 U.S.C. 1261(f)(1)(D), 1262(e)). They may present a "mechanical hazard" as that term is defined in section 2(s) of the FHSA (15 U.S.C. 1261(s)). However, no rule issued under the FHSA to date is applicable specifically to these products.

In accordance with provisions of section 3(e) through (i) of the FHSA (15 U.S.C. 1262(e), (f), (g), (h), (i)), the Commission could begin a proceeding for the issuance of a rule to declare that the squeeze toys described in this notice present a mechanical hazard. If issued on a final basis, such a rule would have the effect of classifying these squeeze toys as "banned hazardous substances" as that term is used in section 2(q)(1)(A) of the FHSA (15 U.S.C. 1261(q)(1)(A)), and would prohibit the distribution or sale of these products in the United States, as well as their importation into this country. If a toy or children's article presents an "imminent hazard," provisions of section 3(e)(2) of the FHSA (15 U.S.C. 1262(e)(2)) authorize the Commission to issue an immediate order declaring the product to be a banned hazardous substance pending completion of a proceeding to issue a banning rule.

A final rule issued under provisions of sections 3(e) through (i) of the FHSA would also make the articles in question subject to provisions of section 15 of the FHSA (15 U.S.C. 1274). That section authorizes the Commission to determine, after affording all interested persons opportunity for a hearing, that notification to the public of the hazard presented by a product which is a "banned hazardous substance" is necessary in order to adequately protect the public. That section also authorizes the Commission, after affording all interested persons opportunity for a hearing (which could be combined with a hearing regarding the need for public notification), to require the manufacturer, distributor or dealer or a product which is a banned hazardous substance to elect to repair or replace the product, or to refund the purchase price of the product.

However, the provisions of section 15 of the FHSA concerning public notification and corrective action would be applicable to the products which are the subject of this notice only if the

Commission had first issued a rule under provisions of sections 3(e) through (i) of the FHSA to announce the Commission's determination that the products present a mechanical hazard, unless the Commission publishes an order to declare that such products present an imminent hazard to the public health.

A proceeding to issue such a rule is initiated by publication of an advance notice of proposed rulemaking in the **Federal Register** to invite comments from all interested persons about the risk of injury associated with the product which is the subject of the proceeding and possible means of addressing that risk of injury, including voluntary standards now in existence or which might be developed. If, after consideration of all information received in response to the advance notice of proposed rulemaking, the Commission decides to continue the proceeding, publication of a second notice in the **Federal Register** is required to propose the rule and invite written comments on the proposal. The Commission must then analyze all comments received in response to the proposal; describe the costs and benefits of the rule; again consider alternative means to address the risk of injury, including voluntary standards; and publish a third notice in the **Federal Register** to issue the rule on a final basis.

In summary, the Commission is authorized under the FHSA to issue a regulation declaring certain squeeze toys to be banned hazardous substances. The rulemaking must consist of three stages—an advance notice of proposed rulemaking with public comment, a notice of proposed rulemaking with public comment, and a final rule that analyzes the public comments and includes a detailed regulatory analysis. Once rulemaking is completed, a process that could take two or more years, the Commission could initiate a proceeding to seek public notice and recall of the banned enclosures, a process which itself would likely take about one year. In appropriate circumstances, the Commission could declare a product to be an imminent hazard to the public health, either before or during the rulemaking proceeding, which would have the effect of immediately banning the product and allowing the public notice and recall proceeding to be started. Whether or not a product is declared to be an imminent hazard, however, the rulemaking is expected to be continued.

Regulation Under CPSA

The CPSA has provisions which authorize the Commission in certain cases to obtain an administrative order for public notification of the hazard presented by a product and for repair, or replacement of the product, or refund of the purchase price of the product without any necessity of first completing a rulemaking proceeding. Under the FHSA, the Commission may not initiate a proceeding to obtain public notification or corrective action with regard to a hazard presented by a toy or children's article until the Commission has issued a final banning rule (unless the Commission publishes an order declaring the product to be an imminent hazard to the public health).

Section 15 of the CPSA (15 U.S.C. 2064) confers upon the Commission the authority to order public notification of the hazard presented by a product if the Commission determines, after affording all interested persons opportunity for a hearing, that the product presents a "substantial product hazard," and that notification is required in order to adequately protect the public from that substantial product hazard. Additionally, section 15 of the CPSA authorizes the Commission to order any manufacturer, importer, distributor, or retailer of a product to elect to repair or replace the product, or to refund the purchase price of the product, if the Commission determines, after affording all interested persons opportunity for a hearing, that the product presents a "substantial product hazard," and that issuance of such an order is in the public interest.

If the products described in this notice were subject to regulation under the CPSA, no requirement for rulemaking would exist in order to invoke the provisions of section 15 of that Act.

Additionally, provisions of section 12 of the CPSA (15 U.S.C. 2061) authorize the Commission to file an action in a United States district court against a manufacturer, importer, distributor, or retailer of a consumer product which presents an imminent and unreasonable risk of death or severe personal injury. The court has the authority to order the recall of the product, its repair or replacement, or refund of the purchase price. The court also has authority to order a firm to undertake extensive notification efforts to advise purchasers and the general public of the nature of the risk and of the firm's obligation for remedial action. The Commission may file an action under section 12 of the CPSA without any requirement for having first undertaken a rulemaking proceeding. As noted above, no corresponding provisions exist in the FHSA.

In summary, under the CPSA, the Commission may regulate a product in one or more different ways. First, after giving interested persons an opportunity for a hearing, the Commission may order that notice and recall be provided by firms manufacturing, importing, or distributing a product that presents a substantial product hazard. Unlike the FHSA, there are no requirements that the product first be declared a banned hazardous substance or that it first be subject to a consumer product safety rule. Second, the Commission may file an action in a United States district court if a product presents an imminent and unreasonable risk of death or severe personal injury. The court has the authority to order the recall of the product, its repair or replacement, or refund of the purchase price. Third, the Commission may undertake rulemaking to declare the product a banned hazardous product or to subject the product to a consumer product safetv standard.

Because notification to the public of the hazard which may be presented by the squeeze toys described in the proposal of January 3, 1983, and remedial action with regard to those toys could be accomplished more expeditiously under the CPSA than under the FHSA, the Commission announced its preliminary determination in that notice that it would be in the public interest to regulate under the CPSA rather than the FHSA any risk of choking and/or suffocation injury which may be associated with those toys if they become lodged in the throat. The Commission solicited written public comment on this January 3, 1983 proposed transfer rule.

Comments on Proposal

In response to the proposal of January 3, 1983, the Commission received one comment from Toy Manufacturers of America, Inc. That comment set forth several objections to the proposed rule, and urged the Commission not to issue the rule on a final basis.

The first objection to the proposal made in this comment is that the products which are the subject of the proposed transfer rule should be regulated exclusively under provisions of the FHSA because they are toys. The comment observes that the FHSA gives the Commission broad authority to issue rules and to initiate any civil or criminal litigation which may be needed to protect children from hazards which may be presented by toys and children's

articles. At the same time, this comment states that provisions of the FHSA afford protection to manufacturers of toys and children's articles from arbitrary agency action.

This comment states that a "most comprehensive set of generic regulations" has been issued under the FHSA to ensure the safety of toys and children's articles, citing rules published at 16 CFR Parts 1501, 1510, and 1511.

However, without disputing the information about deaths and injuries associated with squeeze toys described in the proposal, the comment states that none of those toys violates any existing FHSA regulation. Thus, the comment itself indicates that existing rules issued under the FHSA do not encompass every hazard which may be associated with toys or articles intended for use by children.

The comment contends that the only purpose of the proposed transfer rule is to side-step the procedural requirements of the FHSA intended to protect manufacturers from arbitrary agency action, because those procedures are complex and time-consuming. The comment argues that the reasons stated in the proposal of January 3, 1983, are not adequate to justify issuance of a final rule to transfer regulation of the toys in question from the FHSA to the CPSA.

The comment observes correctly that in 1981, Congress amended both the FHSA and the CPSA to prescribe substantially similar procedures for issuance of banning rules applicable to toys and children's articles under section 3 of the FHSA (15 U.S.C. 1262) and promulgation of consumer product safety rules under section 9 of the CPSA (15 U.S.C. 2058).

However, the comment does not mention that in 1976, Congress amended section 30(d) of the CPSA (15 U.S.C. 2079 (d)) to give the Commission greater flexibility to transfer regulation of risks of injury from the FHSA to the CPSA.

As originally enacted, section 30(d) provided that if a risk of injury associated with a consumer product could be "eliminated or reduced to a sufficient extent" by action taken under provisions of the FHSA, the Commission could regulate that product only under provisions of the FHSA (section 30(d), Pub. L. 92-573). In section 16 of the Consumer Product Safety Commission Improvements Act of 1976 (Pub. L. 94-284, 90 Stat. 510) Congress replaced the original provisions of section 30(d) with the present language which allows the Commission to transfer regulation of a risk of injury associated with a consumer product which could be eliminated or reduced with a sufficient extent under the FHSA to the CPSA if the Commission "by rule finds that it is in the public interest" to regulate that risk under the CPSA.

The legislative history of the 1976 amendment of section 30(d) demonstrates that Congress clearly intended to give the Commission "needed flexibility to determine which of its acts to use to protect the public against a risk of injury associated with a consumer product." 122 Cong. Rec. 10804 (1976) (Remarks of Rep. Staggers). Every member of Congress who addressed this issue in floor debate echoed the theme that the Commission was free to use the Consumer Product Safety Act as long as it found by rule that proceeding in such a manner served the public interest. See 121 Cong. Rec. 23565 (1975) (Sen. Moss); 122 Cong. Rec. 10808 (Rep. Van Deerlin); *id.* at 11856 (Sen. Moss). Indeed, Rep. McCollister expressly noted that the conference report on amendments to the Consumer Product Safety Act "delegates to the Commission the decision as to whether and when the [Hazardous Substances Act] will be used." *Id.* at 10804. This interpretation of section 30(d) was not disputed in any way by the bill's sponsors.

Thus, the evolution of section 30(d) of the CPSA demonstrates an awareness by Congress that in some circumstances, the FHSA may provide a means to eliminate or adequately reduce a risk of injury which may be associated with a consumer product, but the public interest nevertheless requires use of the procedures of the CPSA instead. The Commission finds that such is the case in this instance.

Also unmentioned in this comment is the fact that like the FHSA, the CPSA also prescribes procedures which are intended to afford protection to persons and firms from arbitrary agency action. As noted above, the rulemaking provisions of section 9 of the CPSA and sections 3(e) through (i) of the FHSA are substantially similar. Additionally, if the Commission seeks an order to require public notification of any substantial product hazard which may be presented by a consumer product or corrective action under provisions of section 15 of the CPSA (15 U.S.C. 2064), it must afford all interested persons, including the manufacturer or importer of the product, opportunity for a hearing conducted in accordance with provisions of the Administrative Procedure Act (5 U.S.C. 554).

If the Commission brings a judicial action under section 12 of the CPSA to obtain a court order for public notification of the hazard presented by a product, and for repair, or replacement of the product, or refund of the purchase price, the manufacturer, importer, distributor, or retailer of the product is afforded the due process of the Constitution by the Federal judicial system.

This comment observes that the Commission may initiate a rulemaking proceeding under section 3(e) of the FHSA to declare a toy or children's article to be a banned hazardous substance, and thereafter, in appropriate cases, declare the product to be an "imminent hazard" under provisions of section 3(e)(2) of the FHSA, with the result that the product is classified as a "banned hazardous substance" until completion of the rulemaking proceeding.

In the proposal of January 3, 1983, the Commission considered the provisions of section 3(e)(2) of the FHSA, but observed that some products may present a "substantial product hazard" warranting issuance of an order for public notification or corrective action under provisions of section 15 of the CPSA, without amounting to an "imminent hazard" as that term is used in section 3(e)(2) of the FHSA. *See* 48 FR 39. Notwithstanding the "imminent hazard provisions" of section 3(e)(2) of the FHSA, the Commission concludes that use of the procedures of the CPSA may lead to more effective and expeditious notification and corrective action in the case of squeeze toys than might be obtained by following the procedures of the FHSA.

Terminology of Proposal

A second objection to the proposed transfer rule expressed in this comment arises from the use of the term "squeeze toy." The comment contends that the term "squeeze toy" is a colloquial term with no clear definition. The comment states that because many toys are made of compressible material and are intended to be squeezed by children during normal use, the proposed transfer rule could be applicable to soft vinyl or plastic dolls, teething devices (other than those regulated by the Food and Drug Administration), rattles, cloth covered hand-held articles, and many soft plastic toys.

This comment urges the Commission to formulate a more specific definition of the products which are covered by the proposal, and to repropose the rule once such a definition has been developed.

After consideration of this objection to the proposal, the Commission concludes that the term "squeeze toys made of compressible materials," as used in the proposal and the rule issued below, has a sufficiently precise meaning to alert all interested persons

and firms of the products which the Commission will regulate under provisions of the Consumer Product Safety Act in the event regulation should be necessary to address any risk of choking and/or suffocation which may be associated with such products if they become lodged in the throat.

The Commission finds that the term "squeeze toys made of compressible materials" are toys made of soft plastic, rubber-like or other materials which are designed to be held in the hand and squeezed. They are intended for infants and small children, and are most often used by children younger than 18 months of age.

As noted above, the squeeze toys involved in the choking and suffocation accidents reported to the Commission had handles with a smooth, cylindrical configuration, and a flared or bulbous end. Other characteristics of these toys which may have contributed to their involvement in these incidents include their size, their compressibility, and the fact they can be held in the hand and manipulated into the mouth by infants and young children.

The Commission observes that the term "squeeze toys" is used without further definition in the rule banning toys which present choking, aspiration, or ingestion hazards because of small parts, codified at 16 CFR Part 1501. Section 1501.2(a) of that rule states that the articles which are subject to that rule include, but are not limited to, "squeeze toys" and several other types of toys and articles intended for children younger than three years old.

Impact on Small Businesses

The comment under consideration also objects to issuance of a final rule based on the proposal because the Commission has not prepared an initial analysis of the anticipated effect of the proposed transfer rule on small businesses in accordance with provisions of section 603 of the Regulatory Flexibility Act (RFA, 5 U.S.C. 603).

The comment states that a substantial number of the firms which manufacture and import squeeze toys are small entities (a term used in the RFA which includes small businesses). The comment alleges that if the rule is issued on a final basis and regulatory action is taken under provisions of section 15 of the CPSA, manufacturers of squeeze toys will lose "the protection" afforded by provisions of the FHSA requiring the Commission to complete a rulemaking proceeding before it may initiate any action to compel notification to the public or corrective action to be taken with regard to any hazard which may be presented by squeeze toys. The comment states that such a result would have a substantial impact on those firms.

As noted in this comment, section 605(b) of the RFA (5 U.S.C. 605(b)) provides that an agency is not required to prepare an initial analysis of the anticipated impact of a proposal on small businesses if it certifies that the rule, if issued on a final basis, will not have a significant economic impact on a substantial number of small businesses.

In the proposal of January 3, 1983, the Commission made the certification required by section 605(b) of the RFA, stating that the rule, if issued on a final basis, will not impose any legal obligation on any person or firm. The proposal stated that if the Commission issues the rule on a final basis and then determines that it should act to eliminate or reduce the risk of injury which is the subject of the rule, the Commission will be required to initiate and follow through to completion appropriate judicial or administrative proceedings under one or more sections of the CPSA before it can impose any obligation on any person or firm.

Although the comment contends that the proposal "specifically states that the Commission intends to act pursuant to section 15 of the CPSA," the Commission observes that neither the proposal nor the rule issued below expresses any determination that any regulatory action will be taken with respect to any squeeze toy under any provision of the CPSA. The proposal and the final rule state only that "in the event the Commission finds regulation to be necessary," it is in the public interest to proceed under one or more provisions of the CPSA, rather than the FHSA, to address any risk of choking and/or suffocation injury associated with squeeze toys made of compressible materials.

While the Commission described provisions of section 15 of the CPSA relating to orders for public notification and corrective action with regard to substantial product hazards, and cited them as a factor in its decision to propose the transfer rule, the notice of proposal also discussed the possibility of rulemaking under provisions of the CPSA at 48 F.R. 39. The proposal states that if the Commission issues a final transfer rule and then determines that a standard or regulation may be needed to address any risk of choking and/or suffocation injury which squeeze toys may present if they become lodged in the throat, sections 7 and 9 of the CPSA (15 U.S.C. 2056, 2058) set forth procedures for issuance of consumer product safety standards, and sections 8 and 9 of the CPSA (15 U.S.C. 2057, 2058) contain procedures for issuance of banning rules.

If the Commission undertakes any rulemaking proceeding under the CPSA with regard to any risk of choking and/or suffocation injury which may be presented by squeeze toys if they lodge in the throat, the Commission will comply with all applicable provisions of the RFA.

Requirement for Rulemaking

The final objection to the proposal expressed in this comment is one to the effect that the sole purpose of the proposed rule is to allow the Commission to initiate adjudicative proceedings against certain squeeze toys under provisions of section 15 of the CPSA, and that such proceedings will have the effect of establishing new standards applicable to a class of products not previously regulated. The comment states that agencies are required to make "generic decisions affecting entire industries pursuant to rulemaking procedures," citing *Ford Motor Co. v. FTC*, 673 F.2d 1008 (9th Cir. 1981), *cert. denied* — U.S. —, 103 S. Ct. 353 (1983); *Patel v. INS*, 638 F.2d 1199 (9th Cir. 1980); *Ruangswang v. INS*, 591 F.2d 39 (9th Cir. 1978); and Davis, Administrative Law Treatise 7:24 (1979).

The comment quotes language from the *Ford* case which states that:

> * * * agencies can proceed by adjudication to enforce discreet violations of existing laws where the scope of the rules impact will be relatively small; but an agency must proceed by rulemaking if it seeks to change the law and establish rules of widespread application. 673 F.2d at 1009.

The comment refers to communications between various members of the Commission staff and to communications from the Commission staff to Toy Manufacturers of America, Inc. as indicative of the Commission's intent to develop criteria to identify squeeze toys which present a choking and/or suffocation hazard, and to apply those criteria to squeeze toys.

The Commission does not agree with the assertion in this comment that the *Ford*, *Patel*, and *Ruangswang* cases preclude the issuance of a final transfer rule based on the proposal.

In the first place, as stated above, issuance of a rule under provisions of section 30(d) of the CPSA does not mean that the Commission is obligated to initiate either an adjudicative or a rulemaking proceeding. The possibility exists at this time that the Commission could issue the transfer rule on a final basis, and after assessing future developments, do nothing more.

Secondly, the Commission observes that the comment does not discuss a more recent case in which the Court of Appeals for the Ninth Circuit stated that the decision of whether to establish administrative policies by adjudication or by rulemaking lies with the discretion of the agency: *Montgomery Ward & Co. v. FTC*, 691 F.2d 1322, at 1328 (1982). In that case, the court stated that its authority to set aside an agency's decision to announce and implement policy by adjudication is limited to those instances in which such a decision amounts to an abuse of discretion by the agency. (Since the close of the period for receipt of written comments on the proposed transfer rule, the Ninth Circuit has stated that principle again in its decision in *Saavedra v. Donovan*, 700 F.2d 496, at 499 (1983).)

The decisions in the *Saavedra* and *Montgomery Ward* cases are consistent with those of the United States Supreme Court in *NLRB v. Bell Aerospace*, 416 U.S. 267 (1974); *NLRB v. Wyman-Gordon Co.*, 349 U.S. 759 (1969); *FTC v. Universal-Rundle Corp.*, 387 U.S. 244 (1967); *Moog Industries, Inc. v. FTC*, 355 U.S. 411 (1958); and *SEC v. Chenery*, 332 U.S. 194 (1947).

The Commission has carefully considered the nature and severity of the risks of injury associated with the squeeze toys described in this notice; provisions of the FHSA and the CPSA which could be invoked to address those risks of injury; the need of the public for protection from those risks of injury; the interests of manufacturers, importers, distributors, and retailers of squeeze toys; all issues raised by the comment received in response to the proposed transfer rule; and applicable judicial decisions. After consideration of all of these factors, the Commission concluded that to the extent that issuance of the final rule published below may result in the announcement or implementation of policy by adjudication, the decision to issue the rule is an exercise of sound discretion.

As noted above, the comment refers to various documents prepared by the Commission staff, and claims that they demonstrate that the Commission staff has embarked on a course of rulemaking without giving interested parties notice of the proposed rule or affording opportunity for comment as required by the Administrative Procedure Act (5 U.S.C. 553). The comment suggests that these staff documents reflect an attempt to expand the scope of rules banning certain rattles (16 CFR 1500.18(a)(15) and Part 1510) without following the procedures required by the Administrative Procedure Act and the FHSA for amendment of those rules.

The Commission does not agree with this characterization of the staff memoranda and correspondence. The documents to which the comment refers discuss evidence available to the staff about squeeze toys involved in choking and/or suffocation incidents, and possible means to address any risk of choking and/or suffocation which may be presented by these toys, or by squeeze toys with similar characteristics.

If the Commission should elect to initiate either a rulemaking or an adjudicative proceeding under the FHSA or the CPSA, it must be prepared to support any final action taken with evidence in the record to demonstrate that such action was authorized and warranted by applicable statutory provisions.

In some instances, the staff may elect to show some or all of the evidence relating to a hazard which may be associated with a product to firms engaged in the manufacture, importation, or sale of that product before the Commission initiates any formal proceeding for rulemaking or adjudication. By disclosing evidence available to the Commission in advance of formal proceedings, the staff gives firms which may be affected by either rulemaking or adjudication an opportunity to discuss and evaluate the evidence in an informal manner, and to present additional information not yet available to the staff. In some cases, these preliminary discussions of evidence available to the Commission may result in action by the manufacturers, importers, or distributors of the products involved which obviates the need for any formal proceeding.

In any event, the staff memoranda and correspondence discussed in this comment impose no requirement or obligation on any person or firm, and do not constitute any final action of the Commission for either rulemaking or adjudication.

Recent Judicial Decision Concerning Section 30(d)

Several weeks after expiration of the period for receipt of written comments on the proposed transfer rule in this proceeding, the U.S. Court of Appeals for the Fifth Circuit set aside a rule issued by the Commission to ban urea formaldehyde foam insulation (UFFI) in *Gulf South Insulation et al v. CPSC*, 701 F.2d 1137 (1983). In that decision, the Court discussed section 30(d) as a "tangential" procedural issue at 701 F.2d 1148–1150.

After rejecting the Commission's finding that the risk of injury associated with UFFI could not have been regulated sufficiently under the FHSA, the Court discussed the requirements of section 30(d) of the CPSA for a finding that transfer of the risk of injury associated with a product is in the public interest.

The Commission had found that it was in the public interest to regulate UFFI under the CPSA instead of by using the "complex and lengthy" rulemaking required by the FHSA. The Court rejected that finding and held, narrowly, that the Commission could not discard "the due process procedures mandated by the Federal Hazardous Substances Act" to regulate UFFI under the CPSA. 701 F.2d 1149–1150.

Although the notice of proposal in this proceeding described the procedure for issuance of a rule to ban squeeze toys presenting a risk of strangulation or choking injury as "complex and time consuming," the Commission does not believe that the discussion of the requirements of section 30(d) of the CPSA in the *Gulf South* decision is applicable to the final rule issued below, for the following reasons:

1. In *Gulf South*, the Court seems to have been particularly concerned about the "due process" procedures that would have been provided if UFFI had been regulated under the FHSA. Those procedures are set forth in 15 U.S.C. 1261(q)(2), which makes reference to sections 701(e), (f), and (g) of the Federal Food, Drug, and Cosmetic Act, and may involve a formal trial-type rulemaking proceeding after an informal notice-and-comment rulemaking proceeding has been completed. However, the squeeze toys involved in this proceeding are toys or children's articles, and as such are governed by different regulatory procedures in the FHSA, which are set forth at 15 U.S.C. 1262(e) through (i). Unless the Commission *specifically* elects to use the procedures of 701 of the Food, Drug, and Cosmetic Act, the procedures required by the FHSA for the issuance of a banning rule applicable to toys or children's articles involve a three-stage, informal notice-and-comment proceeding which is for all practical purposes identical to the proceeding which would be required for issuance of a consumer product safety rule under provisions of sections 7 through 9 of the CPSA.

2. If the Commission addressed risks of injury associated with squeeze toys under provisions of section 15 of the CPSA, opportunity for a hearing must be provided before the Commission could order any corrective action to be taken with regard to these products.

The hearing required by section 15 of the CPSA would provide any affected industry party with the "due process" safeguards which the Court apparently believed were denied to manufacturers and installers of UFFI.

The public interest finding expressed in the rule issued in this proceeding is not based "solely on a desire to avoid" the procedures of the FHSA, as the Court found to be the case in *Gulf South*, 701 F.2d 1149. In any case, the Court stated that its discussion of the requirements of section 30(d) of the CPSA was limited to products that are not "extremely dangerous." Because the squeeze toys which are the subject of this proceeding have been associated with the deaths of at least four children, they may well be outside the scope of the Court's discussion of the requirements of section 30(d) of the CPSA as it applies to UFFI.

Effective Date

The Administrative Procedure Act requires at 5 U.S.C. 553 that a "substantive rule" must be published at least 30 days before its effective date, unless the agency finds for good cause that an earlier effective date is needed and publishes that finding with the final rule.

As stated before, the rule issued below will not, by itself, impose any new requirement or obligation on any person or firm. It simply announces that if the Commission takes action with regard to certain toys, it will do so under provisions of the CPSA rather than the FHSA.

For this reason, the requirement of 5 U.S.C. 553 for publication of a substantive rule at least 30 days before its effective date is not applicable. The rule issued below shall become effective immediately.

List of Subjects in 16 CFR Part 1145

Administrative practice and procedure, Consumer protection, Infants and children, Toys.

Conclusion

The Commission concludes that if regulation of the risk of injury presented by certain squeeze toys is necessary at all, it would be in the public interest to regulate such risk under the CPSA rather than under the FHSA. The FHSA would allow the product to be banned by a rulemaking procedure that would likely take at least two years. Following that, the Commission could, if appropriate, begin a proceeding to order firms to give notice of the risk and to recall the product, a process which itself could take about one year. Thus, if public notice and recall were found to be the appropriate remedies, it would take about three years to obtain these remedies under the FHSA. Although the process could be shortened, as discussed above, by declaring the product to be an imminent hazard to the public health, the Commission does not believe, based on presently available information that that would be an appropriate approach.

Under the CPSA, as discussed above, no rulemaking is necessary before public notice or recall is sought. Thus, if public notice or recall is found to be necessary because the product presents a substantial product hazard, either or both could be obtained at least two years sooner under the CPSA.

Therefore, after consideration of the proposal, written comment received in response to the proposal, and other relevant information, discussed above, the Commission hereby amends Part 1145 of Title 16 of the Code of Federal Regulations by adding a new § 1145.10 to read as follows:

PART 1145—REGULATION OF PRODUCTS SUBJECT TO OTHER ACTS UNDER THE CONSUMER PRODUCT SAFETY ACT

§ 1145.10 Certain squeeze toys; risk of choking and /or suffocation injury from lodging in the throat.

(a) The Commission finds that it is in the public interest to regulate under the Consumer Product Safety Act, rather than under the Federal Hazardous Substance Act, the risk of choking and/or suffocation injury from lodging in the throat that is associated with squeeze toys made of compressible material, other than the risk of choking, aspiration, or ingestion of the entire toy or small parts which may become detached from, or break off any such toys, which is the subject of regulations published at 16 CFR 1500.18(a)(9) and Part 1501.

(b) Therefore, if the Commission finds regulation to be necessary, the risk of choking and/or suffocation injury from lodging in the throat which is associated with the toys described in § 1145.10(a), above, shall be regulated only under one or more provisions of the Consumer Product Safety Act. Any risk of injury which may be associated with those toys other than the possible risk described in § 1145.10(a) above, shall remain subject to regulation only under one or more provisions of the Federal Hazardous Substances Act.

(Sec. 30(d)), Pub. L. 92-573, 86 Stat. 1231, as amended Pub. L. 94-284, 90 Stat. 510, Pub. L. 97-35, 95 Stat. 703, 752 (15 U.S.C. 2079(d))

Effective date: This amendment shall be effective on March 15, 1984.

Dated: March 12, 1984.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 84-6992 Filed 3-14-84; 8:45 am]

BILLING CODE 6355-01-M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 3

Temporary Licenses; Statutory Disqualification From Registration; Statutory Disqualification and Other Regulatory Requirements

Correction

In FR Doc. 84-5722 beginning on page 8208 in the issue of Monday, March 5, 1984, make the following correction:

On page 8219, third column, in the authority cite for Subparts B through E, "7 U.S.C. 244a" should have read "7 U.S.C. 2, 4, 4a".

BILLING CODE 1505-01-M

HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 175 and 178

[Docket No. 82F-0055]

Indirect Food Additives: Adhesive Coatings and Components; Adjuvants, Production Aids, and Sanitizers; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting the food additive regulations that provide for the use of 2,2'-oxamidobis(ethyl 3-(3,5-di-*tert*-butyl-4-hydroxyphenyl)propionate as an antioxidant and/or stabilizer in polystyrene, rubber-modified polystyrene, olefin polymers, and as a component in adhesive formulations. This document corrects editorial errors.

EFFECTIVE DATE: March 15, 1984.

FOR FURTHER INFORMATION CONTACT: Thomas C. Brown, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In FR Doc. 83-22778 appearing at page 37615 in the issue for Friday, August 19, 1983, the following corrections are made on page 37617 in § 178.2010 *Antioxidants and/or stabilizers for polymers* in paragraph (b) in the "Limitations" column:

1. In limitation number 4, the last line is corrected to read "exceed 0.5 percent by weight."

2. In limitation number 5, the last four lines are corrected to read "units are derived from propylene may contain the additive at levels not to exceed 0.5 percent by weight."

Dated: March 8, 1984.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 84-6912 Filed 3-14-84; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP, NOLA, Reg. No. 84-03]

Safety Zone Regulations; Vicinity of the Mississippi Aerial River Transit (MART) Terminals in New Orleans

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule making.

SUMMARY: The Coast Guard Captain of the Port, New Orleans, is establishing a Safety Zone in the vicinity of the Mississippi Aerial River Transit (MART) terminals in New Orleans. This zone is needed to safeguard the connecting and raising of the aerial cables between MART's east bank terminal at Julia St. Wharf and its west bank terminal located in the vicinity of the ORGULF Fleet. The approximate midpoint of the cables is at LMR mile 95.4, AHOP. These operations will require the closure of the Mississippi River to all marine traffic within the Safety Zone.

DATES: This regulation becomes effective on 18 and 25 March, and again on April 1 and 8, 1984 for a period of 6 hours on each day, commencing at 7:00 a.m. and terminating at 1:00 p.m.

ADDRESS: Comments should be mailed to Coast Guard Captain of the Port, New Orleans, Attention: Waterways Safety Office, 4640 Urquhart Street, New Orleans, LA 70117. Normal office hours are between 7:00 a.m. and 3:30 p.m., Monday through Friday, except holidays. Comments may also be hand delivered to this address. Copies of all written comments received will be available for examination and copying at the above address.

FOR FURTHER INFORMATION CONTACT: Lcdr. Richard E. Ford at (504) 589-7117, or Ens. Peyton Coleman at (504) 589-7108.

SUPPLEMENTARY INFORMATION: A meeting was held at the office of the Captain of the Port, New Orleans, on 12 January 1984 between representatives of: the Captain of the Port, MART, the New Orleans Steamship Association, the Board of Commissioners for the Port of New Orleans, the Crescent River Port Pilots Association, the New Orleans-Baton Rouge Pilots Association, The Mississippi River Bridge Authority, and the USCG Vessel Traffic Service (VTS), New Orleans. The purpose of this meeting was to select tentative dates and times for the conduct of the cable raising operations so that there would be minimal disruption to marine commerce on the Mississippi River.

This regulation was previously issued as a final rule, and published in Vol. 49, No. 25 of the **Federal Register**, dated February 6, 1984, on pages 4378 and 4379. This previous regulation is being amended because unanticipated delays in the construction schedule for this project have made changes in its effective dates necessary. Telephone contact was made on 17 February 1984 with those organizations participating in the meeting discussed in the foregoing paragraph, which selected the original effective dates for this regulation, to advise them of the changes necessary to these dates. No objections to these changes were received from any of these organizations.

A notice of proposed rule making was not published for this regulation, because following normal rulemaking procedures would have been impracticable. The request for this regulation was not received until 12 January 1984, and there was not sufficient time remaining to publish a proposal in advance of the event for which this regulation is needed. Although this regulation is published as a final rule without prior notice, an opportunity for public comment is nevertheless desirable to ensure that the regulation is both reasonable and workable.

Accordingly, persons wishing to comment may do so by submitting written comments to the office listed under **"ADDRESSES"** in this preamble. Commenters should include their names and addresses, identify the docket number for the regulation, and give reasons for their comments. Receipt of comments will be acknowledged if a stamped self-addressed postcard or envelope is enclosed. Based upon comments received, the regulation may be changed.

Drafting Information

The drafters of these rules are Lcdr. Richard E. Ford, Project Officer, COTP, New Orleans, and Lcdr. R. W. Bruce, Project Attorney, Eighth Coast Guard District Legal Office.

Discussion

The Mississippi Aerial River Transit will be a cable-supported tramway system, transporting passengers in gondolas across the Mississippi River. The system's principal structural components will consist of a passenger terminal and cable-supporting tower on the east bank of the Mississippi River, similar structures directly across the river on the west bank, and interconnecting cables between the two terminals/towers. The installation of the system's interconnecting cables will necessitate the rigging of small diameter messenger lines between the two terminals/towers by connecting one end of each of the messenger lines to the east bank terminal/tower, transporting the unconnected ends across the river on a towboat to the west bank terminal/tower, and connecting them to that terminal/tower. The messenger lines will then be raised above the surface of the river. Afterwards, the systems cables will be stretched over the river by hauling them across with the messenger lines.

Rigging these messenger lines will interfere with normal navigation on the Mississippi River for a period of time, and will require that the river be closed to navigation in order to safeguard these operations. In preliminary discussions with repesentatives of MART, it was their estimation that these operations would require approximately 6 hours to complete. Given optimal weather conditions and no unforeseen complications, one six hour period on 18 March 1984, beginning at 7:00 a.m. and ending promptly at 1:00 p.m., should allow for the completion or these operations. However, for planning purposes, three similar six hour periods were provided for on 25 March, 1 April, and 8 April 1984 to allow for their completion in case of complications or adverse weather conditions. Regardless, the actual closure of the river will only involve such time as is absolutely necessary. Those time periods and dates set aside by this regulation that are not utilized will be promptly withdrawn by the Captain of the Port, New Orleans, by the immediate cancellation of this Safety Zone.

Economic Assessment and Certification

This regulation is considered to be nonsignificant in accordance with DOT Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5). This regulation will result in minor delays to

some shipping interests using the Mississippi River, possibly causing them to incur minimal additional expenses for such items as wharf fees. Based upon this assessment it is certified in accordance with section 605(d) of the Regulatory Flexibility Act (5 U.S.C. 605(b)) that this regulation, if promulgated, will not have a significant economic impact on a substantial number of small entities. Also, the regulation has been reviewed in accordance with Executive Order 12291 of February 17, 1981, on Federal Regulation and has been determined not to be a major rule under the terms of that order.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Final Regulations

In consideration of the foregoing, the Coast Guard is amending Part 165 of Title 33, Code of Federal Regulations, by adding section 165.T812 to read as follows:

§ 165.T812 Safety Zone: Vicinity of the Mississippi Aerial River Transit (MART) in New Orleans.

(a) The area from the down river edge of the new, Greater New Orleans Mississippi River Bridge (approximate LMR mile 95.7, AHOP) to LMR mile 94.7, AHOP is a Safety Zone.

(b) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, vessels may not enter into, or operate within, this zone unless authorized by the Captain of the Port.

(2) This Safety Zone will be closed to all marine traffic between the hours of 7:00 a.m. and 1:00 p.m. on 18 March 1984, and again on 25 March, and 1 and 8 April 1984 during the same hours. The prohibition against vessels entering, or operating within, this zone will commence and end promptly at the stated times.

(3) At his discretion, the Captain of the Port, New Orleans, may terminate this safety Zone at any time during the dates and times provided for.

(33 U.S.C. 1225 and 1231; 49 CFR 1.46; 33 CFR 165.3)

Dated: February 21, 1984.

John L. Bailey,

Captain of the Port, New Orleans, LA.

[FR Doc. 84-6947 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Jacksonville, Fla. Reg. 84-07]

Safety Zone Regulation: Atlantic Ocean, Jacksonville Beach, Florida

AGENCY: Coast Guard, DOT.

ACTION: Emergency Rule.

SUMMARY: The Coast Guard is establishing a safety zone extending along the shoreline 500 yards north and south of Beach Blvd. Jacksonville Beach, Florida, and 700 yards out into the Atlantic Ocean from the shoreline at mean low tide. The zone is needed to safeguard vessels against damage from accidents, or from other causes of a similar nature and to prevent interference with a air acrobatics show. Entry into this zone is prohibited unless authorized by by the Captain of the Port.

EFFECTIVE DATES: This Regulation becomes effective at 1:30 p.m., March 17, 1984. It terminates at 5:00 p.m., March 17, 1984 unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: Lieutenant R. W. Cromley c/o Commanding Officer, USCG Marine Safety Office, 2831 Talleyrand Avenue, Jacksonville, Florida 32206, Tel: 904-791-2648.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking was not published for this regulation and it is being made effective in less than 30 days after **Federal Register** publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to prevent further damage to the vessels, structures, water, and shore area involved.

Drafting Information

The drafter of this regulation is Lieutenant R. W. Cromley, Port Operations Officer for Captain of the Port, and Lieutenant Commander K. E. Gray, Project Attorney, Seventh Coast Guard District Legal Office.

Discussion of Regulation

The incident requiring this regulation will begin at 2:00 p.m. March 17, 1984. It is a civilian airshow put on by the city of Jacksonville Beach, Florida. The plane will conduct a acrobatics show between 2:30 p.m. and 4:30 p.m. landing on Jacksonville Beach between 3:00 p.m. and 3:30 p.m., March 17, 1984. During this time the Federal Aviation Administration has requested that the area be kept clear of all boat traffic.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigational (waters) security measures, Vessels, Waterways.

PART 165—[AMENDED]

Regulation

In consideration of the foregoing, Part 165 Title 33, Code of Federal Regulations, is amended by adding a new § 165.T7-07 to read as follows:

§ 165.T7 84-07 Safety Zone: Atlantic Ocean, and waterways Jacksonville Beach, Florida.

(a) *Location.* The following area is a safety zone: Jacksonville Beach, Florida extending from 30 degrees 17.1 min. north 81 degrees 23.1 min. west, extending east to 30 degrees 17.1 min. north 81 degrees 22.85 min. north, extending south to 30 degrees 17.6 min. north 81 degrees 22.75 min. west, extending west to 31 degrees 17.6 min. north 81 degrees 23.15 min. west.

(b) *Regulations.* In accordance with the general regulation in § 165.53 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port. Section 165.33 also contains other general requirements.

(33 U.S.C. 1225 and 1231; 49 CFR 1.46; 33 CFR 165.3)

Dated: March 6, 1984.

M. Woods,

Captain, U.S. Coast Guard, Captain of the Port, Jacksonville, Florida.

[FR Doc. 84-6944 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-14-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 101

[FPMR Temp. Reg. D-69, Supplement 1]

Federal Employee Parking

AGENCY: Public Buildings Service, GSA.

ACTION: Temporary regulation.

SUMMARY: This supplement extends to September 30, 1984, the expiration date of FPMR Temporary Regulation D-69. D-69 sets forth revised policies and procedures concerning Federal employee parking. The regulation was developed as part of an effort to review and streamline GSA's property management regulations.

DATES: Effective date: February 1, 1984. Expiration date: September 30, 1984.

FOR FURTHER INFORMATION CONTACT: John H. Quigley, Director, Assignment and Utilization Division (202-566-1875).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purpose of E.O. 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. Therefore, a Regulatory Impact Analysis has not been prepared. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))]

In 41 CFR Chapter 101 this temporary regulation is added to the appendix at the end of Subchapter D.

Dated: February 27, 1984.

Ray Kline,

Acting Administrator of General Services.

February 27, 1984.

Federal Property Management Regulations

[Temporary Regulation D-69, Supplement 1]

To: Heads of Federal agencies.

Subject: Federal Employee Parking.

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation D-69.

2. *Effective Date.* February 1, 1984.

3. *Expiration Date.* This supplement expires on September 30, 1984.

4. *Explanation of Changes.* The expiration date in paragraph 3 of FPMR Temporary Regulation D-69 is revised to September 30, 1984.

[FR Doc. 84-6921 Filed 3-14-84; 8:45 am]

BILLING CODE 6820-23-M

---

41 CFR Ch. 101

[FPMR Temp. Reg. E-76, Supp. 2]

Acquisition of Systems Furniture

AGENCY: Office of Federal Supply and Services, General Services Administration.

ACTION: Temporary regulation

SUMMARY: The General Services Administration (GSA) initated a test program in March 1978, to identify the cost effectiveness of systems furniture. After review of the program, GSA concluded that systems furniture may present a viable solution to some space management problems; however, because of its relatively high cost compared to conventional furniture available through the Federal supply system, its procurement should be limited to only those times when its use will result in legitimate space and dollar savings. GSA further concluded that continuing requirements for the reduction of expenditures for new furniture and for improved utilization of available furniture and office space inventories requires a high degree of management attention and control by agency heads and GSA. FPMR Temporary Regulation E-76 sets forth general management policies and procedures related to the acquisition of systems furniture. This supplement extends to February 28, 1985, the expiration date of FPMR Temporary Regulation E-76.

DATES: Effective date: March 1, 1984. Expiration date: February 28, 1985.

FOR FURTHER INFORMATION CONTACT: Dan Rowan, Furniture Commodity Center, (703-557-8473).

SUPPLEMENTARY INFORMATION: The General Services Administration (GSA) has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. The GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

In 41 CFR Chapter 101, this temporary regulation is added to the appendix at the end of Subchapter E.

February 22, 1984.

Federal Property Management Regulations

[Temporary Regulation E-76; Supplement 2]

To: Heads of Federal agencies

Subject: Acquisition of systems furniture

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation E-76.

2. *Effective date.* March 1, 1984.

3. *Expiration date.* This supplement expires on February 28, 1985.

4. *Explanation of changes.* The expiration date in paragraph 3 of FPMR Temporary Regulation E-76 is revised to February 28, 1985.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 84-6920 Filed 3-14-84; 8:45 am]

BILLING CODE 6820-24-M

National Archives and Records Service

41 CFR Part 105-61

[Adm 7900.2 Chge. 22]

Public Use of Records, Donated Historical Materials and Facilities in the National Archives and Records Service; Fees

AGENCY: National Archives and Records Service, GSA.

ACTION: Final rule.

SUMMARY: This rule revises fees charged by the National Archives and Records Service for reproduction of archival records, donated historical materials, and records filed with the Office of the Federal Register. The fees are being changed to reflect the current costs of providing the reproduction services.

EFFECTIVE DATE: March 1, 1984.

FOR FURTHER INFORMATION CONTACT: Adrienne Thomas (202-523-3214).

SUPPLEMENTARY INFORMATION: A notice of proposed rule making appeared in the Federal Register on January 11, 1984 (49 FR 1403). Minor editorial changes have been made in this final rule. The General Services Administration has determined that this rule is not a major rule for the purpose of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net costs to society.

List of Subjects in 41 CFR Part 105-61

Archives and records.

Accordingly, Subpart 105-61.52 is amended as follows:

PART 105-61—PUBLIC USE OF RECORDS, DONATED HISTORICAL MATERIALS, AND FACILITIES IN THE NATIONAL ARCHIVES AND RECORDS SERVICE

1. The authority citation for Part 105-61 reads as follows:

Authority: Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)).

2. Section 105-61.5201 is amended by adding paragraphs (c)(3) and (c)(4), redesignating paragraph (c)(7) as (c)(9), adding a new paragraph (c)(7), and revising paragraph (c)(8) and new paragraph (c)(9) to read as follows:

§ 105-61.5201 Applicability.

* * * * *

(c) * * *

(3) Motion picture and video recording materials among the holdings of the National Archives. Prices for reproduction of these materials are available from the Motion Picture and Sound and Video Branch, General Services Administration (NNSM), Washington, DC 20408.

(4) Machine-readable records. Prices for duplication are available from the Machine-readable Branch, General Services Administration (NNSR), Washington, DC 20408.

* * * * *

(7) The fee for electrostatic copies of records filed with the Office of the Federal Register (OFR) is $0.20 when the customer makes the copies. Where OFR, NARS makes the copies, the fees in § 105-61.5206(h) apply.

(8) Customers may request expedited service for most reproduction orders. "Rush" orders are subject to a 50-percent surcharge.

(9) Orders requiring additional expense to meet unusual customer specifications such as the use of special techniques to make a photographic copy more legible than the original document, or unusual format or background requirement for negative microfilm. Fees for these orders are computed for each order.

3. Section 105-61.5205 is revised to read as follows:

§ 105-61.5205 Mail orders.

(a) Except for copy flow, where the minimum fee is $11.00, there is a minimum fee of $5.00 per order for reproductions ordered by mail.

(b) Orders to addresses in the United States are sent either first class or UPS depending on the weight of the order and availability of UPS service. When a customer requests special mailing services (such as Express Mail or registered mail) and/or shipment to a foreign address, the cost of the special service and/or additional postage for foreign mail is added to the cost of the reproductions.

4. Section 105-61.5206 is revised to read as follows:

§ 105-61.5206 Fee schedule.

(a) *Authentication:* $2.00.

(b) *Still photography:*

(1) Copy negative:

4 in by 5 in (Black & White)	$5.00
4 in by 5 in (Color)	7.00
8 in by 10 in (Black & White)	8.75
8 in by 10 in (Color)	16.20

(2) Photographic print (Black & White):

4 in by 5 in	$3.95
8 in by 10 in	5.75
11 in by 14 in	7.10
16 in by 20 in	9.75
20 in by 24 in	12.50
22 in by 28 in	15.00
24 in by 30 in	18.50
30 in by 40 in	20.75
Sepia, add	5.20

(3) Slides:

2 in by 2 in (Black & White)	$2.60
2 in by 2 in (Color)	4.00

(c) Aerial prints:

10 in by 10 in	$5.65
14 in by 14 in	9.00
18 in by 18 in	10.50
20 in by 24 in	10.50
27 in by 28 in	19.75
40 in by 41 in	26.50

(d) Photostat:

Paper (up to 17 in by 23 in)	$8.55
Film (up to 17 in by 23 in)	10.40

(e) Diazo (per foot): $1.20

(f) Microfilm:

	16mm rotary	16mm planetary	35mm planetary	35mm oversize
(1) Negative (per frame); Customer tabs documents for microfilming	.15	.25	.25	.55
NARS identidocuments for microfilming	.20	.30	.30	.60
(2) Next generation (per foot)		.16	.20	
(3) Direct duplicate (per foot)		.22	.25	

(g) Microfiche duplication (per fiche): $.60

(h) Electrostatic copying:

(1) Paper to paper (up to 11 in by 17 in)	
Customer tabs documents for copying	.30
NARS identifies documents for copying	.35
(2) Paper to paper (18 in by 24 in)	.65
(3) Oversized electrostatic copies (per foot)	1.80
add per foot for vellum paper	.25
(4) Microfilm to paper:	
From negative (copy flow), per foot	1.60
From positive, up to 11 in by 17 in, work done by customer	.35
From positive up to 11 in by 17 in, NARS performs the work:	
First copy per roll	1.70
Next consecutive frame or duplicate	.60
Next nonconsecutive frame	.85
From positive, 18 in by 24 in, work done by customer	.90
NARS performs the work:	
First copy per roll	2.20
Next consecutive frame or duplicate	1.15
Next nonconsecutive frame	1.35

(i) Sound recordings (per minute):

Reel to cassette	.50
Reel to reel (3.75 ips)	.75
Reel to reel (7.5 ips)	.90
Film to tape sound transfer—16 mm sprocketed tape	3.00
Film to tape transfer—¼ inch tape	1.40

(j) Technical services:

	Regular	Overtime
Photographer (per hour)	16.50	22.50
Microfilm preparation (per hour)	12.00	18.00
Sound and video recordings (per hour)	18.00	24.50

(k) *Preservation of records.* In order to preserve certain records which are in poor physical condition, NARS may restrict customers to a choice of photostatic or microfilm copies instead of electrostatic copies.

(l) *Unlisted processes.* Fees for reproduction processes not listed in § 105-61.5206 are computed upon request.

5. Section 105-61.5208 is revised to read as follows:

§ 105-61.5208 Effective date.

The fees in § 105-61.5206 are effective on March 1, 1984.

Dated: February 16, 1984.

Robert M. Warner,

Archivist of the United States.

[FR Doc. 84-7056 Filed 3-14-84; 8:45 am]

BILLING CODE 6820-26-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 6526

[I-5229]

Idaho; Withdrawal for Elk Summit-Hoodoo Lake Recreation Area

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws 101.76 acres of national forest land to protect access roads and recreational campsites in the Hoodoo Lake Area. This action will close the land to mining, but not to surface entry or mineral leasing, for 20 years.

EFFECTIVE DATE: April 13, 1984.

FOR FURTHER INFORMATION CONTACT: Larry Lievsay, Idaho State Office, 208-334-1735.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751, 43 U.S.C. 1714, it is ordered, as follows:

1. Subject to valid existing rights, the following described national forest lands, which are under the jurisdiction of the Secretary of Agriculture, are hereby withdraw from appropriation under the general mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, for protection of administrative and recreational values associated with Hoodoo Lake.

Clearwater National Forest, Elk Summit-Hoodoo Lake Area

Boise Meridian

A tract of land lying in unsurveyed section 1, T. 34 N., R. 14 E., and unsurveyed section 36, T. 35 N., R. 14 E., Boise Meridian, more particularly described as follows:

Beginning at U.S. Geological Survey Bench Mark 5761-B1911 59 cemented in a drill hole in a large boulder in the yard at Elk Summit Guard Station; thence N. 72°36′ E., a distance of 1,282.06 feet to the true point of beginning which is a brass cap monument stamped Cor. 1; thence S. 07° 54′ E., a distance of 549.54 feet to a brass cap monument stamped Cor. 2; thence S. 79° 37′ W., a distance of 876.74 feet to a brass cap monument stamped Cor. 3; thence S. 27° 48′ W., a distance of 3.388.88 feet to a brass cap monument stamped Cor. 4; thence N. 51° 09′ W., a distance of 667.52 feet to a brass cap monument stamped Cor. 5; thence N. 08° 05′ E., a distance of 1,882.93 feet brass cap monument stamped Cor. 6; thence N. 35° 56′ E., a distance of 1,760.27 feet to a brass cap monument stamped Cor. 7; thence S.89° 43′ E., a distance of 1,588.86 feet to the true point of beginning, containing in the aggregate 101.76 acres, more or less. All monuments consist of: 2″×30″ galvanized iron pipes with brass caps. In addition to the corner number, each cap contains the wording "Elk Summit Withdrawal. U.S.F.S. 1968."

The above description is all according to a plat titled "Metes and Bounds Survey of a Portion of Unsurveyed Section 1, T. 34 N., R. 14 E., and Section 36, T. 35 N. R. 14 E., Boise Meridian" prepared by Stanley J. Skousen, Montana Registration No. 2532S., and said plat is on file in the office of the Forest Supervisor, Clearwater National Forest, Orofino, Idaho, and in the office of the Regional Forester, Northern Region, Missoula, Montana.

The area described above contains 101.76 acres in Idaho County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their nonlocatable mineral or vegetative resources.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date, pursuant to section 204(f) of the Federal Land Policy and Managment Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal shall be extended.

Inquiries concerning the forest lands should be addressed to Chief, Branch of Lands and Mineral Operations, Idaho State Office, Federal Building, Box 042, 550 West Fort Street, Boise, Idaho 83724.

Dated: March 8, 1984.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

[FR Doc. 84-6915 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-84-M

---

43 CFR Public Land Order 6527

Public Land Order No. 5444; Correction

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order will correct an error in paragraph 1 of Public Land Order No. 5444 of November 4, 1974.

EFFECTIVE DATE: March 15, 1984.

FOR FURTHER INFORMATION CONTACT: Ed Puchalla, Washington Office 202-343-6486.

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

The Public Land Order No. 5444 of November 4, 1974, in FR Doc. 74-26430 published at pages 39879, in the issue of Tuesday, November 12, 1974, is corrected as follows: In paragraph 1, the second and third lines on page 39879, the lines read, "or interest therein have been conveyed" should read "or interest, excluding ditches and canals, which have been conveyed."

Dated: March 8, 1984.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

[FR Doc. 84-6916 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[CC Docket No. 80-584; RM-3304; FCC 83-605]

Policies Governing the Ownership and Operation of Domestic Satellite Earth Stations in the Bush Communities in Alaska

AGENCY: Federal Communications Commission.

ACTION: Final Decision (Policy Statement).

SUMMARY: This action adopts a policy of joint ownership and operation of certain domestic satellite earth stations in Bush communities in Alaska. This action is necessary to resolve issues raised by the competing applications in this proceeding without the need to resort to comparative hearings. This resolution allows for contributions to be made in the development of the Bush earth station network by both Alascom and the local carriers.

DATE: This order is effective April 16, 1984.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Cecily C. Holiday, Common Carrier Bureau, (202) 634-1627.

List of Subjects in Part 25

Satellites.

Final Decision

In the matter of policies governing the ownership and operation of domestic satellite earth stations in the Bush communities in Alaska (CC Docket No. 80-584; RM-3304).

Adopted: December 22, 1983.

Released: February 21, 1984.

By the Commission: Commissioner Patrick not participating.

Introduction and Background

1. The Commission is considering its *Tentative Decision* in this proceeding and the comments and reply comments filed in response.[1] In our *Tentative*

[1] Earth Stations re Tentative Decision to Establish Joint Ownership, 92 FCC 2d 736 (1982) (*Tentative Decision*). In response to the *Tentative Decision* five sets of comments were received from seven parties, including Alascom, Inc. (Alascom), United Utilities, Inc. (United), and General Communications Incorporated (GCI). Joint comments were filed by the State of Alaska and the Alaska Public Utilities Commission (State) and by OTZ Telephone Cooperative, Inc. and Mukluk Telephone Company, Inc. (OTZ/Mukluk). The State's unopposed motion for acceptance of its late filed comments is granted. Reply comments were filed by Alascom, United, the National Telephone

Continued

Decision, we proposed a joint ownership arrangement to resolve the controversies over the ownership of earth station facilities in 35 Alaskan Bush communities. These facilities provide Message Telecommunications Service (MTS) to these remote communities, as well as television reception, and in some communities, private-line services. In each of these 35 locations, competing applications have been filed by Alascom, which is certified to provide both intrastate and interstate toll MTS and private-line services in Alaska, and by a local exchange carrier [2] that has been certified by the Alaskan Public Utilities Commission (APUC) to provide local telephone exchange service within the particular Bush community. In our *Tentative Decision*, we proposed to resolve this controversy by licensing these earth station facilities jointly to Alascom and the local carrier.

2. A complete history of this proceeding may be found in the *Notice* [3] and in the *Tentative Decision* and will not be repeated here. Very briefly, the controversy arose in 1975 when the State of Alaska, dissatisfied with Alascom's proposal and applications to construct small earth stations throughout the state, filed competing applications. The State did not intend to operate the facilities but to lease them to a carrier who offered the most favorable terms. The Commission found the applications mutually exclusive because one facility could provide all the services proposed by either party and it did not appear to be any public interest benefits in authorizing the construction of duplicative facilities in the Bush. So that service would not be withheld, Alascom was granted temporary authority, as trustee, to operate the facilities. The temporary authorizations were conditioned on resolution of the ownership issue. Subsequently local exchange operators filed applications to construct new stations or to acquire those operated by Alascom at many of the locations. The State then requested that its applications be dismissed. At those locations where no competing application was pending, Alascom was granted a license. At the contested locations, Alascom continues to operate on temporary authority.

3. Generally, parties commenting on our *Tentative Decision* reiterated the positions they had taken earlier in response to our original *Notice* in this proceeding. Thus, little new information has been added to the record. We will not repeat these arguments and our previous analysis here. We reaffirm the general findings of our *Tentative Decision* concerning joint ownership of the Bush earth stations but modify slightly the terms of our joint ownership proposal.

4. A negotiated settlement between the competing applicants would have been the preferred resolution to this proceeding. The provision of service to these areas is the responsibility of the parties. It necessarily is a cooperative venture, and, as with communications service in other areas, requires agreement on a variety of matters. Agreements have been reached in some instances between Alascom and the local carrier, leading to the withdrawal of the competing application of the local carrier. In the remaining cases where the local carrier continues to pursue its application, some form of negotiated joint undertaking also would have been acceptable to the Commission. The State attempted to mediate such a settlement, but apparently was not successful.[4] From the beginning we have afforded the parties various opportunities to reach a mutually agreeable understanding.[5] We continue to encourage mutual accommodations in light of our *Final Decision* and anticipate that the APUC and the State will exert their influence and expertise to facilitate the prompt completion of the contracts needed to bring this controversy to its conclusion. Because the parties have asked that we provide guidance on certain matters that are claimed to have inhibited the drafting of an operating agreement, we will do so, but our guidance is not binding. The parties are free to come to a different result. In the event the parties, acting responsibly, are unable to conclude an operating agreement or resolve subsequent matters, or to appoint an arbitrator, the Alaska Public Utilities Commission or its designee will serve as arbitrator for all disputes not involving a matter of exclusive Commission jurisdiction. In the absence of a voluntary agreement, we terminate this proceeding by issuing joint authorizations which will require the parties to enter into appropriate operating agreements that clearly specify the rights and obligations of each joint licensee.

Comments

5. The State is willing to accept the concept of joint ownership providing certain modifications are made to our proposal. It believes these modifications are necessary in order for the concept to work. First, it believes that the Commission should clearly specify which Bush sites are eligible for joint ownership. More specifically, the State believes it necessary to clarify whether the Commission's *Tentative Decision* is applicable beyond the currently contested 35 sites. Second, the State asserts that eligible local exchange carriers should be allowed to participate in the ownership and operation of earth station facilities only if they exercise their option to do so within a reasonable period of time. Third, the State maintains that a Network Coordinating Committee should be established to protect the public interest in MTS by swiftly addressing any unresolved issues. Such a committee, comprised of Alascom, the local exchange carriers and the Deputy Commissioner for Telecommunications for the State of Alaska, would give Bush earth station minority shareholders an opportunity to participate in network planning. Finally, the State believes that the APUC should be made the initial forum for resolution of disputes among the parties. If any party disagrees with the APUC's determinations involving matters relating to earth station operations, they would have a right of appeal to the Commission. The State believes this approach makes sense because the APUC has an intimate knowledge and understanding of the Bush telecommunications network and the problems of the Bush communities.

6. United, a local exchange operator, maintains that the Commission, by not adopting the rule proposed in the *Notice* (note 3, *supra*), is denying the public the benefits that would have resulted from exclusive ownership by local exchange operators. To support this conclusion, United basically reiterates the arguments it advanced in response to our *Notice*. If, however, the Commission pursues its joint ownership proposal, United makes several suggestions for its implementation. First, United states that as a result of attempts to negotiate an agreement in accordance with the spirit of our *Tentative Decision*, it is clear that

Cooperative Association (NTCA), and the Secretary of Defense on behalf of the consumer interests of the Federal Aviation Administration (FAA).

[2] The local exchange operators that currently have applications on file that are competing with those of Alascom are United, OTZ and Mukluk.

[3] Domestic Satellite Earth Stations—Alaska Bush, 81 FCC 2d 304 (1980) (*Notice*). To resolve the question of who should be licensed to operate the Bush earth stations, the Commission began a rulemaking to establish a policy governing the ownership and operation of these stations when mutually exclusive applications have been filed. There the Commission proposed to require local exchange certification by the APUC as a basic eligibility requirement to own and operate earth station facilities to provide MTS in rural Alaskan communities.

[4] *See* State's Comments at 3.

[5] RCA Global Communications, 56 FCC 2d 660, 699–700 (1975) (*Globecom*).

the Commission must, in its final order, provide a more equitable formula for dividing the equity in, and responsibility for, earth station ownership and operation. According to United, although the 51/49 split proposed in the *Tentative Decision* may avoid deadlocks, it will also preclude any meaningful participation by local exchange operators. If the parties are not of equal stature, joint ownership will not work. United suggests alternative approaches, which both preclude the possibility of deadlock and allow for meaningful participation by all partners. For example, United suggests that each party have a 50 percent ownership interest, with deadlocks broken by a third party sitting on a management committee appointed solely for that purpose. Additionally, United maintains that the joint ownership policies should be universally applied to all existing and future contested situations dealing with toll interconnect facilities constructed in Bush communities, including terrestrial facilities such as point-to-point microwave.

7. Alascom continues to assert that it should be awarded sole ownership of the Bush earth station facilities. Alascom claims that the Commission's revised proposals in the *Tentative Decision* do not avoid the need for hearings. Once again, Alascom claims that it is being unlawfully deprived of hearing rights afforded it by the Communications Act. According to Alascom, hearings are required to determine the basic technical and financial qualifications of the local exchange operators. Alascom also requests a hearing in regard to the partial revocations of authorizations it currently holds, the establishment of the terms and conditions under which it would be required to sell part of its facilities, and the establishment of operational arrangements if the local exchange carriers actually become joint owners. Alascom objects to the definition of Bush communities contained in our *Tentative Decision* and adds that the proposed policy, if adopted, should only apply to the 35 locations where competing applications are presently on file. It firmly believes that its mid-route earth station facilities [6] should not be subject to a joint ownership policy. Alascom asserts that if the proposal is held to apply to future situations, a disincentive will exist for Alascom to convert terrestrial facilities to satellite facilities.

[6] Alascom uses the term "mid-route" to describe earth stations that were constructed initially to provide services beyond basic Bush telephone service, such as those that switch MTS.

8. If the Commission insists upon adopting the proposed policy advanced in its *Tentative Decision*, Alascom states that the Commission should mandate that each joint owner must bear financial risks in proportion to its equity participation. Additionally, Alascom believes that the Commission should provide further guidance concerning the nature of the ownership interest in the earth station facilities (e.g. divided vs. undivided ownership interests), should identify what constitutes earth station equipment and should dictate what operations are to be subject to a joint ownership plan. Further, Alascom believes that the Commission should define each joint owner's role in maintaining the facilities, should dictate who has responsibility for network design and should make clear that "Appropriate Access" policies in Docket No. 16495 will not apply to Bush earth station facilities in a way which would compel Alascom to hold less than a 51 percent interest in these facilities. Also, Alascom states that the Commission should rule that separations and allocations of Bush earth station facilities in which local exchange operators would share ownership will not change present jurisdictional separations. Finally, Alascom in its reply comments, states that a 50/50 split raises the issue of negative control and would therefore require an adjudicatory proceeding as it raises questions similar to those raised in regard to sole licensing with respect to the local exchange operators' qualifications. Additionally, Alascom believes that for the Commission to appoint a tie breaker would be an unlawful delegation of its statutory responsibilities, as well as impractical. Alascom states that it has working relationships with 27 local exchange companies and that the Commission should rely on this rather than a 50/50 split with provisions for breaking ties, which would be harmful to the successful management of the Bush earth station network. According to Alascom, its existing relationships with local exchange companies should be satisfactory for resolving most issues.

9. OTZ/Mukluk, local exchange operators, oppose the joint ownership proposal in the *Tentative Decision*. They insist that such a proposal is impractical and unworkable and that its effect will deny Bush communities the recognized benefits of the participation of local exchange operators in Bush earth station operations. According to OTZ/Mukluk, the 51 percent ownership provided Alascom in our *Tentative Decision* would perpetuate Alascom's dominance and control over essential facilities.[7] This, they believe, would be to the clear detriment of Bush residents. Additionally, they claim that both the negotiating of joint ownership arrangements, as well as joint operations of facilities, would be an expensive, time-consuming and difficult process that may, in effect, preclude local exchange carrier participation. According to OTZ/Mukluk, Alascom's majority interest could provide further incentive for it to perpetuate the inevitable conflicts. Moreover, OTZ/Mukluk point out that no party previously had proposed or discussed a joint ownership solution and argue that an involuntary imposition of joint ownership has no precedent in prior Commission proceedings. Pointing to statements in the *Tentative Decision* concerning the detriments of Alascom's dominance and the benefits of local carrier ownership, OTZ/Mukluk urge the adoption of a final ownership policy favoring sole ownership by the local exchange carrier.

10. GCI believes that the Commission should allow the local exchange carrier, not Alascom, to acquire a 51 percent majority interest. The local exchange carrier then could select a satellite carrier of its choice for a 49 percent minority ownership interest. The satellite carrier would, in turn, provide the Bush communities with interconnection in the Anchorage area to both the intrastate and interstate network. GCI stresses that the *Tentative Decision* recognizes that the most significant detriment to Alascom being the sole licensee of Alaska Bush earth station facilities is the perpetuation of its total control over facilities providing MTS service to Alaskan Bush communities. According to GCI, by giving Alascom a 51 percent ownership interest in the earth station facilities, the Commission will perpetuate this monopoly. Thus, if the Commission insists on joint ownership, and will not give a 51 percent ownership interest to the local operator, then according to GCI ownership should be at a minimum 50/50. Alternatively, the joint ownership policy proposed in the *Tentative Decision* should be applied only to basic MTS within a Bush community, and not to stations that provide more than basic MTS even if located within Bush areas. In any event, conditions should be imposed on any authorization to require equal access to, and interconnection

[7] OTZ/Mukluk point out that Alascom is 40 percent owner of the Anchorage cable television system, as well as 100 percent owner of Sitka Southeast Alaska Telephone which is a local exchange carrier.

with, those facilities by other carriers at reasonable and non-discriminatory charges.

11. While NTCA continues to prefer sole ownership by the local exchange carrier, it would accept joint ownership if the 51 percent interest were assigned to the local exchange carrier. It believes that a controlling interest assigned to Alascom would be unworkable and that Alascom would use its control to continue to expand its domination over Alaskan communications. NTCA, along with GCI, states that giving Alascom any ownership interest in the earth station facilities necessarily will preclude the development of interexchange competition in Alaska. Both NTCA and GCI believe that such a result is in apparent conflict with the Commission's decision in CC Docket No. 78–72.[8] NTCA also supports the Network Coordinating Committee proposal of the State to resolve what it believes would otherwise be certain disputes between the joint owners.

12. The FAA notes its dependency on private-line services provided to it by Alascom. This service is crucial to ensure safe, reliable air travel to all of Alaska. FAA's concerns are potential cost increases as a result of a change in Bush earth station ownership,[9] and a potential decrease in reliability if one carrier does not have end-to-end control of the private-line services it currently leases. Although the FAA prefers full ownership by Alascom, it believes the 51 percent ownership by Alascom proposed in the *Tentative Decision* is preferable to the proposal advanced in the *Notice*.

Discussion

A. Joint Ownership

13. Our *Tentative Decision*, which proposed joint ownership of the Bush earth station facilities,[10] was intended to resolve a long-standing controversy in a fair and administratively efficient manner. There we tentatively concluded that, failing a resolution by the parties, any outcome to this proceeding that required us to grant sole ownership to one of the competing applicants did not appear likely to best serve the public interest. This included ownership by the local carrier, as originally proposed by United in its petition for rulemaking in RM–3304 and as proposed in our initial *Notice* acting on that petition, or by Alascom, as it has consistently advocated in this proceeding. In contrast, joint ownership allows both parties to make a productive contribution to improving the quality and reliability of services offered to the Alaskan ratepayers. We therefore proposed joint ownership in our *Tentative Decision* to resolve this controversy in the absence of an agreement among the parties.

14. Our *Tentative Decision* addressed in significant detail both the benefits and the detriments of sole ownership by Alascom and by the local exchange operator. Based on the extensive record compiled on the attributes and capabilities of the applicants, we concluded that the best resolution to this proceeding was to license the facilities jointly. The complementary capabilities of Alascom and the local exchange operators would not be lost under such an arrangement. We also found that joint ownership would maintain the operations of a unified Bush MTS satellite network, and would avoid any unnecessary costs occasioned by replacement of existing Bush earth station facilities. This approach further insured that Alascom's technical expertise would remain available for Bush earth station operations in these communities. Moreover, the benefits of the local exchange carriers' presence in Bush communities would be available to maintain the earth stations. Alascom's central role in current MTS satellite network planning was recognized, as were the incentives of the local exchange carriers to provide the highest quality service within the Bush communities they are certified to serve. In summary, joint ownership provides for participation in the planning and operation of Alaskan satellite facilities by both of the parties involved in the provision of MTS service to a Bush community.

15. Although we now believe some adjustment in relative ownership shares is necessary, we continue to believe joint ownership a pragmatic means of providing service efficiently to Bush communities when ownership of the earth stations is still in conflict. And we believe it is workable once operating contracts are negotiated by the parties. This view also appears to be shared by the expert State regulatory authorities in Alaska who have been intimately involved over the years in the establishment of effective communication services in the Alaska Bush. The arguments advances by the parties in opposition to the *Tentative Decision* are essentially the same as those advanced in response to our earlier *Notice*.[11] Both Alascom and the local exchange operators continue to restate the benefits of their sole ownership. Because these arguments were fully considered in our *Tentative Decision*, and no more convincing arguments have been advanced, we are not persuaded to reach a different conclusion. Additionally, no new information has been provided to convince us to change our finding that each of the applicants is fully qualified to participate in a joint ownership arrangement.[12] Accordingly, we re-affirm our finding that joint ownership is the best resolution to this proceeding.[13]

[8] GCI notes that it recently was authorized to provide common carrier services between Anchorage, Seattle, Fairbanks and Juneau. It argues that no showing has been made that the Commission's pro-competitive policies are inappropriate for the Alaska Bush, and that the *Tentative Decision* effectively provides Alascom with a *de jure* monopoly.

[9] FAA points to the loss of cost savings resulting from a single maintenance force for both MTS and private line as an example of increased cost.

[10] United's argument that the Commission should extend the parameters of this proceeding to include all toll interconnect facilities, including terrestrial microwave, is rejected as being beyond the scope of this proceeding. This proceeding has addressed only the particular circumstances and special history of the Alaskan Bush earth station network.

[11] OTZ/Mukluk point out that the three cases cited in note 27 of our *Tentative Decision* in support of joint ownership involve voluntary agreements among the parties. A voluntary agreement for joint ownership was made by the applicants at the outset in the most recent of the cases cited, which involved the MARISAT satellite system. However, in the earlier two decisions the Commission approved joint ownership to avoid comparative evaluation of pending proposals for competing underseas cables and INTELSAT earth station facilities. In all three cases, an urgently needed facility was required to provide services which all of the parties would use in the provision of service to the public. Duplicative facilities were unnecessary. In the cases of the Bush earth stations before us now, and in the absence of agreement among the parties, we believe the underlying factors involving service to the public are sufficiently similar to the above cases to warrant adoption of a rule imposing a similar solution to similar problems. Nothing in Section 309 of the Act precludes us from imposing such an ownership structure if we determine that this result best serves the public interest. Our legal authority to impose such a rule in lieu of formal hearings is addressed in note 13, *infra*. For a more thorough discussion see paragraphs 40–47 in our *Tentative Decision*.

[12] Hence we need not again address Alascom's claim that the local exchange carriers are unqualified to be sole licensees. We also note that the APUC, in response to our *Tentative Decision*, has not raised concerns about the capabilities of local exchange carriers to be joint owners of the earth station facilities. Earlier, in response to our *Notice*, it raised concerns about the relationship between its certification of local exchange carriers to provide local service and their qualifications to be the sole owners, but our proposal of joint ownership appears to have alleviated this concern. We believe each of the applicants is qualified to participate in a joint ownership arrangement.

[13] Alascom continues to dispute our authority to award station authorizations to any applicant other than itself without a full, oral hearing. We have reviewed this issue both in our *Notice* and *Tentative Decision*. While Alascom also disputes our authority to order joint ownership in responding to our *Tentative Decision*, it provides no additional legal basis for its position beyond that presented in response to the *Notice*. Alascom's claim for a

Continued

16. Most of the parties, whether opposed to the concept of joint ownership or not, suggested modifications in the event we adopt this proposal.[14] We address these proposed modifications below.

B. Division of Ownership

17. In our *Tentative Decision* we proposed that ownership of the Bush earth station facilities in dispute be divided with Alascom receiving 51 percent and the local exchange carrier receiving 49 percent. In proposing an unequal ownership share, our primary concern was to assure dispute resolution. Thus, we tentatively concluded that if one owner had a controlling interest, it would prevent deadlocks in the event the joint owners could not reach mutual agreement. Absent a clearly controlling entity, we feared that each time the licensees were unable to reach agreement on financial, technical or operational questions, they would likely turn to the Commission for resolution.

18. Some parties suggest that, if joint ownership is adopted, the 51 percent ownership interest should be held by the local exchange carrier. We recognized in our *Tentative Decision* that such an arrangement would put greater emphasis on the interests of the local carriers. However, the potential could arise for uncoordinated decisions at the various Bush locations. This could be detrimental to the Alaskan MTS satellite network as a whole. Additionally, it could undermine our decision that Alascom retain its role as current MTS satellite network manager in the Bush. The comments and reply comments received in response to our *Tentative Decision* contain no persuasive demonstration that majority ownership by the local carrier would be better than by Alascom.

19. Although we are persuaded to give a majority interest to the local carriers, their arguments that they will not be able to participate in a meaningful way under our *Tentative Decision* proposal are well taken. In all probability such an ownership split would burden local operators with the costs of minority participation in a capital intensive venture without the operational or management benefits of ownership to which a substantial equity owner should be entitled. Thus, we believe that it may be impossible to preserve the affirmative advantages associated with both owners without equal equity participation. An equal ownership division reflects the fact that although each carrier has an area of primary expertise and control, the provision of telecommunications service to the public is a joint undertaking. Alascom has primary expertise in and exercises primary control over the overall Alaska MTS satellite network serving the Bush communities. The local exchange carriers have primary expertise in and exercise primary control over the local exchange. The Bush earth stations are the point at which these areas of expertise overlap. Notwithstanding the division of expertise and control, the carriers share equally the responsibility of assuring efficient, economic and reliable MTS within the context established by the State, and to a lesser extent, federal, regulatory authorities. An equally divided ownership share appropriately reflects this responsibility. A 51 percent interest in all contested locations could intensify Alascom's dominance and control over essential communication facilities. If local carriers are not allowed to participate on a meaningful level, many of the benefits we foresaw in joint ownership (paras. 13–15, *supra*), could be lost. Conversely, giving the local exchange carrier a 51 percent interest also raises problems with coordinated network design and operations. This could present difficulties in the maintenance of overall network efficiency. For these reasons, absent an agreement by the parties, we believe an equal ownership division is both equitable and workable.

20. A number of parties fear such a division could result in decisional deadlocks. Several alternatives have been suggested to avoid deadlocks and minimize Commission involvement in the decision making of the joint owners. One suggestion would have us establish a 50/50 equity split with equal representation on the management committee of each joint entity. The parties could then appoint a third party to cast a deciding vote in case of deadlock. Another suggestion had deadlocked matters submitted to an independent tribunal. Alternatively, it was suggested that we require the parties to include a third equity partner in the ownership structure.[15] The State, whose equity participation is allegedly established,[16] was given as an example of a possible third partner. The State recommended that a Network Coordinating Committee be established, with the committee's suggested resolutions appealable to the APUC. Final appeal would be to the Commission in matters pertaining to earth station facilities.

21. We have reached the conclusion that equal ownership interests should not result in irreconcilable differences among the parties. And an undue emphasis on areas of potential disagreement loses sight of a fundamental point: provision of reliable and efficient Bush telephone service must ultimately be a joint responsibility of Alascom and the local exchange carrier. This responsibility must be fulfilled in a manner that serves the public interest. The provision of basic telecommunications services frequently requires agreement among different carriers on a wide variety of matters so that the public may receive service. There is no apparent reason why Alascom, and the exchange carriers, acting responsibly, cannot successfully conclude a joint operating agreement. While telephone service to the Bush is subject to regulatory oversight by both the APUC and this Commission irrespective of the final ownership structure of the Bush earth stations, the responsibility for providing that service rests with the carriers themselves.

22. We do, however, emphasize our belief that the APUC and the State, because of their understanding of the Bush telecommunications network and of the problems confronting the Bush communities, are in a particularly good position to make recommendations concerning any problems that might arise pertaining to the Bush villages. As recognized experts in telecommunications in Alaska, we expect the APUC and/or the State to continue to exhibit a high interest in the development of service to Bush communities and, to the extent necessary, to participate in actively aiding the joint licensees to resolve

---

hearing as a result of its perception that joint ownership constitutes a partial revocation of its outstanding temporary authorizations is similarly unsupported by legal authority and is rejected. Because Alascom, in its comments and reply comments, raises no points that we have not already addressed, we will not repeat our analysis of its arguments. This rulemaking proceeding has afforded the parties all hearing rights due them under the Communications Act, and is a reasonable exercise of our discretion. *See, e.g.*, SEC v. Chenery Corp., 332 U.S. 194, 203 (1947).

[14] One particular suggestion from United proposes that we award the license solely to one applicant in each community. United's proposal would result in Alascom being sole licensee in 51 percent of the Alaska Bush villages, while reserving the remaining stations for sole ownership by a local exchange carrier. This solution, in several cases, requires the authorization of local exchange carriers to own and operate facilities for which they have not yet applied. Additionally, this approach effectively results in sole ownership by the local carrier as initially proposed in our *Notice*. It would suffer from the same problems set forth in our *Tentative Decision* concerning sole ownership, and is therefore rejected.

[15] This is not, according to United, without Commission precedent. *See* CML Satellite Corporation, 51 FCC 2d 14 (1975).

[16] *See* note 23 *infra*.

promptly any controversy that may arise. For this reason, we are adopting with slight modification the State's proposal that the APUC, or its designee, arbitrate all disputes not involving exclusive Commission jurisdiction.[17] The joint licenses will be conditioned to require that the parties specify some means for arbitration to resolve controversies that may arise before or after operating contracts are negotiated, and, absent agreement by the parties on a different arbitrator, the APUC will serve in that capacity. Although we are conditioning this authorization on the parties submitting to arbitration any matters that otherwise might be irreconcilable, we do not view this action as a delegation of our adjudicatory function. Disagreements, if any, are likely to center around the details of ownership and operation of the joint facilities, and as such would not be expected to invoke the jurisdiction of this Commission. Such matters are normally attended to by the carriers involved without Commission intervention. In any case, the Commission could intercede if there were a public interest reason to do so. we anticipate, however, that this would rarely be the case, judging from past experience with joint providers of telephone service. Thus, we see the local authorities playing a number of roles in subsequent developments. First, we encourage both the APUC and the State to continue to assist the parties in reaching a private negotiated agreement. In the absence of agreement the parties are required to submit to binding arbitration. Unless the parties agree on another arbitrator, the APUC, or its designee, is designated to serve in that capacity. Finally, if the disagreement concerns matters within the Commission's exclusive jurisdiction, we will consider the views of the local authorities in reaching a decision. Any correspondence the joint owners send to the Commission must be served on the APUC and the State.[18]

23. The FAA expresses concern over the possibility of decreased service reliability and increased cost if one carrier does not have end-to-end control of the private-line services it currently leases. We believe that these concerns can be addressed even if we do not give controlling interest to Alascom. Many services are not provided by a single carrier end-to-end. Even in the contiguous states, long-distance services are provided by interstate carriers with local terminations provided by local telephone companies. Yet, well established industry standards and practices insure that services are provided reliably. FAA has not provided any factual basis for its concerns, and we see no reason to believe that cooperative actions by Alascom and local exchange carriers will not similarly lead to reliable service to the Alaska Bush for private-line service as it already has for MTS. Indeed, comparable situations exist with respect to Alascom's use of earth stations licensed to unaffiliated companies to provide services between Alaska and the contiguous states. As to increased costs, we note the State, which represents all consumers of telecommunications services in Alaska, supports joint ownership over sole ownership by Alascom.

24. This *Final Decision* adopting joint ownership will not retard the development of interexchange competition in Alaska, or be in conflict with the Commission's decision in CC Docket No. 78–72, as suggested by GCI and NTCA. As recognized in our decision on this matter,[19] competition in the provision of services to the Alaska Bush will not be precluded by our Bush earth station ownership policy. Although we currently contemplate only one MTS earth station in a Bush village, multiple carriers may seek access to these facilities to provide services in competition with those provided by Alascom and the local exchange carriers. And while Alascom will be the sole licensee of about 65 percent of the Bush stations, it will also share ownership with another carrier in the remaining 35 percent for the first time. This ownership interest, even if only partial, still provides a meaningful role to the local carriers to develop new or more efficient Bush services. In addition, GCI or other carriers may be able to develop proposals for other facilities that do not conflict with our findings in this proceeding that the the duplicative MTS earth stations proposed by Alascom and the exchange carriers would not serve the public interest.

25. In summary, it appears that this proceeding can be concluded and our policy objectives best achieved by adopting a joint ownership structure in which both Alascom and the local exchange carriers can have equal equity positions in the earth stations at issue. We believe this approach, rather than one in which one or the other applicant has a controlling interest, will provide the greatest incentives to each party to maximize its contributions in the areas where it has the most to offer. Moreover, this balancing of the capabilities and incentives of the joint owners to cooperate fully in the provision of economical and efficient Bush service will be strengthened further by the continuing reliance we are placing on the active involvement of the APUC and State in the development of Bush earth station services within Alaska. We have been convinced by the comments on our *Tentative Decision* that the other resolutions considered herein could eliminate a potentially willing and valuable contributor to the Bush earth station facilities.

Implementation

26. Our *Tentative Decision* indicated that the joint owners should themselves define their respective operational roles,[20] although several general principles were described to structure initially the joint ownership arrangement.[21] We initially believed that these general guidelines would be sufficient to allow the parties to complete the necessary contracts. Indeed, had we then issued a *Final Decision* ordering joint ownership, the competing applicants likely would have lacked the incentive to find issues that hindered the completion of operational contracts. However, assuming the impediments are real, we give further guidance below with respect to those issues that the parties have identified as areas of potential or actual dispute. To some extent, these issues were identified by Alascom and the local exchange carriers as support for the position that joint ownership is an unworkable solution that should be abandoned. Thus, with the certainty that joint ownership is to be adopted, we believe these problems will be resolved. However, to the extent that they remain obstacles to the creation of operating contracts, the guidance provided below

[17] As authority for referring disputes to the APUC, the State cites section 410(a) of the Communications Act. Alascom states that the Commission, under section 410(a), is precluded from delegating adjudicatory functions. We disagree. Sections 410(a) and 410(b) provide, in relevant part, that the Commission may refer any matter arising in the administration of the Communication's Act to a joint board, that the joint board may be comprised of a member from a single state and that the Commission may confer with a State concerning carriers subject to the jurisdiction of both the State and this Commission. However, at this time, we believe it unnecessary for purposes of this authorization to consider what role a formal joint board might have in adjusting the relationship between Alascom and the local carriers.

[18] We would expect that agreement of both parties would be needed for a discretionary filing for new facilities or services, but that either party could supply information or other filings required to be submitted to the Commission.

[19] MTS/WATS Market Structure Inquiry (*Phase II*), 92 FCC 2d 757 (1983).

[20] *Tentative Decision* at para. 53.

[21] *Id.* at paras. 53–57.

is sufficiently specific to allow the parties, negotiating in good faith, to reach a mutually acceptable joint ownership agreement.[22] The parties are, of course, free to reach different arrangements. Moreover, we expect that the active involvement of the APUC and the State will further facilitate the prompt resolution of any differences of opinion that might arise between the joint owners.

27. The licenses are being issued for the existing facilities now in service in the Bush communities. The local exchange operator will be acquiring a 50 percent interest in those facilities.[23] In those few cases where new earth station equipment has been proposed by the local carrier, no convincing demonstration has been made that the ratepayer will be better off with new facilities. While these Bush earth stations were constructed at the risk of Alascom and the State without prejudice to the ultimate resolution of this proceeding, caution is warranted in permitting their replacement by local exchange carriers. If the reliability of a particular Bush earth station is in question, installation of additional equipment should be a much less expensive alternative. However, the basic design of the Bush network, as agreed to by Alascom and the State, appears adequate. Thus, local exchange carriers are afforded an opportunity to invest in existing Bush earth station facilities, not to construct new facilities.

28. United believes that among the most difficult of the unresolved issues are those that are related to valuation, but none of the parties has demonstrated why they should not be able to come to an agreement. United suggests that the purchase price for local carriers be the lower of net book value or replacement cost. We had previously indicated that ownership of the Bush facilities should be at net book value,[24] and United has not demonstrated that our prior analysis was flawed. One way to proceed would be for Alascom to prepare an inventory of the equipment to be included in the jointly owned earth station [25] and certify the current net book value. Alascom could then provide this certification of the earth station net book value to the appropriate local exchange carrier, the State, and the APUC. With respect to the method by which the local exchange carrier pays Alascom for its ownership interest, we believe, again, this is a matter best negotiated by the parties, but that Alascom should be compensated within a reasonable amount of time following the execution of the joint ownership agreement.

29. We see no need, as suggested by United, to prescribe special accounting treatment of the assets acquired, investment tax credits, depreciation and other items.[26] It seems to us that operating expenses ought to be charged directly to the causative function. We expect that the local exchange operator would perform all activities for which local employees are qualified through training. Alascom employees would be flown into the Bush communities only when necessary to perform specialized repairs or maintenance. Each of the parties could establish a time accounting system for its employees to document expenses billed to the joint venture.

30. Alascom claims that a possible effect of applying existing settlements and separations arrangements may be a disproportionate distribution of the financial risks of Bush earth station ownership and operation between the joint partners. To the extent that this is a possibility, Alascom appears to suggest that normal separations and settlement processes should not apply to the proposed ownership arrangements. However, no party has identified any specific changes in these processes required as a result of joint ownership. We agree with Alascom in principle, however, that, absent an agreement to the contrary, a local exchange operator who chooses to participate in joint ownership and operation of Bush earth station facilities should expect to bear financial risks in proportion to its equity participation.

31. Alascom and United differ as to what should be the nature of the joint ownership structure. One of United's suggestions was that the ownership of each earth station be divided by individual pieces of equipment. This seems both undesirable and impractical. Ownership interests, as suggested by Alascom, should be held on an undivided basis. The alternative of divided ownership of the station with each owner holding title to discrete components with the aggregated value equal to the designated party's ownership interest appears unworkable. It is highly unlikely that some combination of earth station components would add up to exact percentage interest desired by each joint owner. Additionally, divided ownership would not permit a sharing of the obligations and responsibilities of earth station ownership and operation.[27] In addition, separate books and records should be kept by both carriers with respect to their contributions to jointly owned Bush earth stations. Such books and records should be open for inspection by either partner.[28]

32. With respect to the design and operation of the Bush satellite network, we stated both in our *Notice* and in our *Tentative Decision* that it is Alascom that is ultimately responsible for the integrity, both technical and operational, of the current Alaskan MTS satellite toll network. It is primarily within Alascom's expertise to establish reasonable technical and performance standards for the Alaskan toll network, and Alascom is responsible for its space segment facilities presently serving the Bush, although the local operators will have valuable contributions to make. The parties should prepare, on a yearly basis, the "Alascom Satellite Communications Transmission Plan." [29]

[22] We disagree that we must specify the final details on these matters, as suggested by some parties. The parties, even without general guidance, should be capable of negotiating final agreements on all matters. Moreover, the licenses we are issuing are conditioned on binding arbitration on all matters not subject to overriding State or Federal regulatory jurisdiction.

[23] United States that an ownership issue exists as to the State's share in existing stations. The State had previously stated its intention to convey its ownership interest to the ultimate licensee. *Notice* at 308. According to United, some accounting formula must be established to reflect the State's investment and it believes that the Commission should ascertain the State's position regarding its investment. However, the State has not raised this as a concern, and we believe that the question of the State's current investment, if any, in the earth station facilities is a matter of concern for the State and the ultimate licensee and does not preclude the Commission from resolving the current facilities authorization question.

[24] *Notice* at para. 42.

[25] In this instance we would define earth station facilities as including all radio frequency components and channel units interfacing with the switching facilities of the local carrier. Power and other support facilities are included in earth station facilities if dedicated to satellite service. Common facilities should be allocated among the functions sharing them in proportion to use, but not to exceed current charges where applicable. Common facilities not currently covered by existing Alascom arrangements should not be included in earth station facilities except as mutually agreed to by the joint owners.

[26] The joint owners are subject to the accounting regulations of the APUC and this Commission.

[27] The only rationale offered for divided interest shares was speculation that low interest REA loans might not be available if ownership was undivided with Alascom holding 51% interest. No evidence was presented to support the validity of this concern. Additionally, although previously a participant in this proceeding, the REA did not submit comments to support such speculation.

[28] In addition, records should be kept reflecting such factors as the life of each station component, its depreciation, retirement, and investment tax credit.

[29] *See Tentative Decision* at para. 53 and note 38. In light of our decision-making mechanism for the joint ownership arrangement, there does not appear to be a need to require that a formally structured

Continued

With the contributions from the State and APUC, the plan should represent a consensus of the parties.

33. With respect to Bush earth station operations, we recognize that an Alascom operator is not continually present in the Bush community to control directly the earth station transmitter. Instead, the station is remotely monitored and controlled from Anchorage by Alascom. Alascom does not regularly maintain technical or operating personnel for maintenance and service in the Bush communities and travel is expensive. Thus, the local exchange personnel should be capable of and responsible for all regularly anticipated maintenance and service functions at the Bush stations. As network manager, Alascom would oversee overall system operations and guide local exchange operators in performing troubleshooting or other routine or non-routine preventive or corrective maintenance. This includes (but is not limited to) adjustment of r.f. carrier frequencies or powers, tests, line-up, and the like. All functions that can be performed locally, including equipment adjustment or replacement, local monitoring and testing, antenna clearing, general housekeeping, etc. could be the responsibility of the local exchange operator. In general, it seems that as much maintenance as possible should be performed by the local operator within the Bush village to avoid unnecessary travel costs to Alascom. Within a reasonable period of time, we expect that Alascom employees would not be required to make any inspection trips to the Bush sites that are jointly owned. With adequate training and the remote control and monitoring center in Anchorage, local operators should become capable of performing all but the most sophisticated maintenance. Apart from an occasional inspection trip for specialized preventive maintenance, Alascom employees should not be required to visit the Bush sites except when needed for new equipment installation or non-routine corrective maintenance or repair.

34. Thus, it would be helpful for the parties to develop a maintenance handbook which clearly delineates reliability objectives and assigns responsibilities to the different carriers to identify and clear satellite transmission problems.[30] Modular earth station designs could allow failed equipment to be replaced and returned to a major city for repair. Test equipment should therefore be held to a minimum of basic equipment typically required for local exchange operations. Sophisticated equipment could be retained in the central or regional depots or monitoring center.[31] The amount of spare equipment at each jointly owned Bush station could be that recommended by the manufacturer or as otherwise agreed to by the joint owners.

35. While it may be, as United suggests, normally best to colocate earth station and local exchange facilities, such arrangements do not presently exist in all Bush communities. To the extent that they do not, the local carrier could acquire its percentage interest in the facilities as they presently exist. Thus, pre-existing site leases, power and space agreements which Alascom already has entered into with various villages could continue in effect for the joint owners until renegotiation becomes necessary in the eyes of both partners or until the present leases and agreements expire. Generally, Alascom is expected to define requirements for space and utilities for the earth station equipment, while the local exchange operator would select the physical location where the earth station facilities would be located and arrange for utilities in accordance with satisfying those specifications. Such a procedure could be followed in new situations or in existing situations when both parties agree relocation is necessary. With respect to the actual negotiations on price and terms and conditions of the leases, we would expect them to be negotiated jointly by the parties.

36. Both Alascom and United request that the Commission specify the definition of toll interconnect facilities subject to our Bush earth station ownership policies. The joint ownership policy applies only to earth station equipment and operations, and not to the design and operation of the space segment. A convenient demarcation between the Bush station and the local exchange operations for purposes of this ownership arrangement could be at the point where the earth station channel units interface with the local exchange switching facilities. United's or the carrier's investment in local exchange facilities, including land, buildings, and generators, would not be subject to the joint ownership policy. However, we expect that to the extent that these facilities are used for joint ownership operations, any lease payments for these facilities would be charged to the joint owners.

37. This additional guidance is based on the evidence before us and our best judgment. However, we see no reason why the parties were not able to structure an operating agreement within the framework outlined in the *Tentative Decision*. Nevertheless, we have responded to their request. In the event they still are not able to agree on either the terms of an operating agreement or on subsequent matters, they are required to enter into binding arbitration. In the unlikely event that arbitration proves necessary, we believe that the arbitrator should avail itself of the expertise of each co-owner. Thus, because Alascom has greater knowledge regarding network configuration issues, and is ultimately responsible for the integrity of the current Alaskan MTS satellite network, its expertise concerning these issues should be given significant weight in arbitration. Conversely, the local exchange carriers' expertise should be given significant weight if disputes involve local arrangements for Bush earth station facilities or regularly anticipated maintenance and service functions. This presumption in favor of the expertise of one joint owner may be overcome, however, upon clear and convincing evidence that acceptance of those views would be contrary to the public interest.

Procedural Matters

38. The staff will complete its processing of the pending Bush applications and issue formal licenses as soon as possible after the effective date of this decision. The licenses will be issued jointly to the two applicants with the technical parameters proposed in the Alascom application [32] subject to

Network Coordinating Committee, as proposed by the State, be imposed on the joint owners at this time. We would, however, encourage any informal arrangement under which all of the participants in the provision of Bush communications services could exchange information on a regular basis. This could be applied to the development and updating of the transmission plan or other relevant documents and procedures.

[30] We expect that analogous procedures already exist between Alascom and the local carrier with respect to the joint provision of MTS services. With joint ownership we expect these arrangements would be expanded to include Bush earth station functions.

[31] The parties have expressed various views on the desirability of regional depots for equipment and maintenance, including United's proposal for a system distinct from Alascom's. We discourage duplicative support and maintenance networks. Since Alascom operates a statewide network and the majority of Bush earth stations, its existing network could be modified as necessary to support jointly owned earth stations. Investment and operating costs of regional depots would be borne by Alascom, with charges made to the joint owners as costs are caused by operation of the jointly owned Bush stations.

[32] Alascom has kept current its applications during the course of this proceeding. They, therefore, should accurately reflect the current status of the facilities. We see no need to require the local exchange operators to amend formally their applications to either include by reference, or to duplicate, the material in Alascom's filings.

the joint operating agreement to be negotiated by the parties. The grantees will be expected to begin negotiating immediately operating contracts and to conclude them within a 180-day period from the effective date of this decision. If the parties cannot reach agreement, arbitration should be initiated sufficiently in advance to permit an agreement to be finalized within the 180 day period. We fully expect the continuing efforts of the State and the APUC to facilitate a successful and timely completion of these arrangements. We also expect that the mandatory arbitration clause to be inserted in the contract will assure that each party's interests are represented.

39. In our *Notice*, we recognized that section 214 authorization would have to be granted to the local exchange carrier in view of the interstate nature of satellite communications. However, our findings with respect to the public interest determinations on joint ownership are sufficient for both the radio station licenses under Title III and the necessary authorizations under Section 214. Thus, we certify that the public interest, convenience and necessity would be served by the joint operation of these Bush earth station facilities.

40. Finally, we must address the applicability of this decision to situations that might arise in the future. We emphasize that our determinations are limited to similar situations that involve mutually exclusive applications by certified MTS interexchange and local exchange carriers for earth station facilities to provide such services in small, rural communities in Alaska. The parties in this proceeding have not disproved our finding that duplicative MTS facilities must be avoided for now if basic telephone service is to be provided economically to these Bush communities. Our joint ownership policies are not intended generally to apply to facilities characterized by Alascom as "mid-route" facilities.[33] Additionally, the application of this policy should not retard any economical or efficient conversion of terrestrial to satellite facilities.[34] Situations invoking this Bush earth station policy would, as proposed in the initial rule of Appendix B to the *Notice*, be limited to competing applications by such carriers for (a) earth stations providing MTS (b) within a community of less than 1,000 persons. We agree that the opportunity for a local exchange operator to participate cannot be open ended. Thus, we believe the fairest way to balance these concerns in Bush villages not involved in the 35 joint authorizations granted today is to confirm that Alascom will be the sole licensee of the Bush earth stations in those villages where Alascom currently has a license, even if there is a certified local exchange operator who has not filed a competing application.[35] These licenses therefore no longer are subject to this proceeding.

Conclusion

41. With this decision, we bring to a close the dispute regarding who should own MTS earth stations in the Alaskan Bush. While we would have much preferred a private resolution by the parties, in its absence our best judgment is that an equal ownership interest by the contending parties—each of whom necessarily is involved in the provision of MTS to the Bush—best serves the public interest, convenience and necessity. Because the parties have been unable to craft a final operating agreement, we have provided guidance where they say it is needed. We think it unlikely that any further guidance regarding either the operating agreement or subsequent disputes will be needed. Should any such controversies or subsequent disputes arise, they will be resolved by arbitration. In the unlikely event that the dispute includes a matter of exclusive Commission jurisdiction, we will fulfill our public interest responsibilities. We do not expect any such disputes to arise, however, as the parties, as joint licensees, turn their energies from litigation to the provision of efficient communication service to the Bush at reasonable charges.

42. In light of the discussion above, and pursuant to sections 4(i), 4(j), 201(a), 214, 303, 307, 308, 309 and 319 of the Act, 47 U.S.C. 154(i), 154(j), 201(a), 214, 303, 307, 308, 309, and 319, we find that the public interest, convenience and necessity will be served by joint ownership of the Alaska Bush earth stations, the establishment of channels of communications, and the interconnection of the facilities of Alascom and local exchange carriers as set forth above.

43. We previously determined that a regulatory flexibility analysis is not required because the proposed rule immediately affects only three entities and thus will not have a significant economic impact on a substantial number of small entities. No party commented on this matter and we re-affirm that conclusion.

44. Accordingly it is ordered that the applications listed in Appendix A to the *Notice* in this proceeding are granted and the applicants are authorized to operate the facilities jointly as specified in the formal instruments of authorization for these earth stations, and to establish channels of communication between those bush locations and Anchorage, Alaska via the space segment facilities of Alascom, Inc.

45. It is further ordered that these authorizations are subject to the condition that the parties shall immediately enter into good faith negotiations to establish their respective operating and financial responsibilities and shall submit such contracts to the Commission and the Alaska Public Utilities Commission within six months from the effective date of this *Final Decision*. In the event that elements of these contracts remain in dispute, the parties shall appoint an arbitrator, who, in absence of a mutually agreed upon party, shall be the Alaska Public Utilities Commission or its designee. The arbitrator shall be notified of all terms in dispute in sufficient time to render a decision within 180 days of the effective date of this order. The contracts shall contain a provision for arbitration of disputes.

46. It is further ordered that the policies specified above shall apply to the resolution of any similar controversy over competing applications for a new Bush earth station facility that might arise in the future as set forth in paragraph 40 above.

47. It is further ordered that the Secretary shall cause appropriate publication of this order in the **Federal Register** and that it shall be effective 30 days thereafter.

[33] Even the term "mid-route" is not always precise. *See* note 6, *supra*. We also recognized that the mutual exclusivity that forms the basis for this proceeding in 35 specific communities is not automatically applicable throughout Alaska. *See RCA Global Communications, supra* note 6, at 689–690.

[34] Alascom suggests that the application of this policy to future situations may provide a disincentive for it to convert terrestrial facilities to satellite facilities. However either Alascom or the local exchange carrier may file an application for an earth station to serve the Bush community

[35] Local exchange operators have had up to four years of notice since the filing of United's initial application of the procedure by which they are expected to file competing applications with those of Alascom, and the State has protected the ability of the local carriers to make such filings since 1975. In fact, in several Bush villages, the local exchange operator withdrew its pending application after entering into an agreement with Alascom. We believe that the benefits to be derived from local exchange operators' participation in planning and operating the Alaska Bush network must be balanced with the need for a resolution to this long-lived controversy. Thus, we believe that local exchange carriers who have not yet filed applications in Bush communities currently served by Alascom have effectively elected not to participate.

48. It is further ordered that the proceedings in CC Docket No. 80-584 are terminated.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 84-6754 Filed 3-14-84; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 21

Implementation of the Endangered Species Act Exemption for Certain Raptors; Raptor Propagation Permits; Federal Falconry Standards

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule; correction.

SUMMARY: This document corrects several errors found in a final rule published by the Service in the **Federal Register** on July 8, 1983 (48 FR 31600-31010), concerning annual reports required to be filed under the raptor propagation permit and several miscellaneous permit administration provisions. The raptor propagation permit is now codified in 50 CFR 21.30.

FOR FURTHER INFORMATION CONTACT: John T. Webb, Branch of Investigations, Division of Law Enforcement, Fish and Wildlife Service, U.S. Department of the Interior, P.O. Box 28006, Washington, D.C. 20005, telephone: (202) 343-9242.

Accordingly, 50 CFR 21.30 is corrected by revising paragraphs (c)(3), (d)(3)(iii)(B), (d)(3)(iv), (d)(11) (i) and (vi) to read as follows:

§ 21.30 Raptor propagation permits.

* * * * *

(c) * * *

(3) Whether the applicant is at least 18 years old with a minimum of 2 years experience handling raptors, and if the applicant requests authority to propagate endangered or threatened species, whether the applicant is at least 23 years old with a minimum of 7 years experience handling raptors.

* * * * *

(d) * * *

(3) * * *

(iii) * * *

(B) Must use a marker with an opening (inside diameter) which is small enough to prevent its removal when the raptor is fully grown without causing serious injury to the raptor or damaging the marker's integrity or one-piece construction;

* * * * *

(iv) Each permittee must submit a report of marking to the Director within 5 days of such activity, including a report when all excess markers are removed from any raptor. The report must be signed by the permittee and contain the date of marking; marker number(s); and the species, sex and hatching date of the raptor.

* * * * *

(11) * * *

(i) Number of raptors possessed as of December 31 (including the species, marker number, sex, and age of each raptor).

* * * * *

(vi) Number of raptors purchased, sold, bartered, received, or transferred (including the species, marker number, sex, and age of each raptor) the date of the transaction, and the name, address and permit number of each purchaser, seller, barterer, transferor, or transferee.

The authority citation for Part 21 reads as follows:

Authority: Migratory Bird Treaty Act, sec. 3, Pub. L. 65-186, 40 Stat. 755 (16 U.S.C. 704); sec. 3(h)(3), Pub. L. 95-616, 92 Stat. 3112 (16 U.S.C. 712).

Date: March 6, 1984.

Robert A. Jantzen,

Director, Fish and Wildlife Service.

[FR Doc. 84-6713 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 640, 642, 646, 649, 650, 651, 652, 654, 655, 658, 661, 662, 663, 671, 672, 674, 675, 680, and 681

[Docket No. 40308-25]

Domestic Fishing Regulations

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule; technical amendments.

SUMMARY: NOAA issues this final rule to standardize the facilitation of the enforcement section (boarding procedures) for all domestic fishery regulations promulgated under the Magnuson Fishery Conservation and Management Act (Magnuson Act). The boarding procedures have been modified over the seven years since enactment of the Magnuson Act, but not all regulations have been changed accordingly. The intended effect of this action is to incorporate these minor changes into those regulations that currently need updating.

EFFECTIVE DATES: March 14, 1984, except for § 662.7 which is effective April 9, 1984.

FOR FURTHER INFORMATION CONTACT: Donna D. Turgeon, 202 634-7432.

List of Subjects in 50 CFR Part 640 et al.

Fisheries.

Dated: March 8, 1984.

Carmen J. Blondin,

Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.

For the reasons stated in the Summary, 50 CFR Parts 640, 642, 646, 649, 650, 651, 652, 654, 655, 658, 661, 662, 663, 671, 672, 674, 675, 680, and 681 are amended as follows:

1. The authority citation for all domestic regulations reads as follows:

Authority: 16 U.S.C. 1801 *et seq.*

Sections 640.8, 642.8, 646.7, 649.8, 650.8, 651.8, 652.8, 654.7, 655.8, 658.8, 661.8, 662.7, 663.8, 671.6, 672.8, 674.8, 675.8, 680.8, and 681.8 (Amended).

2. 50 CFR is amended by revising the text of the designated sections to read as follows:

(a) *General.* The operator of, or any other person aboard, any fishing vessel subject to this part must immediately comply with instructions and signals issued by an authorized officer to stop the vessel and with instructions to facilitate safe boarding and inspection of the vessel, its gear, equipment, fishing record (where applicable), and catch for purposes of enforcing the Magnuson Act and this part.

(b) *Communications.* (1) Upon being approached by a U.S. Coast Guard vessel or aircraft, or other vessel or aircraft with an authorized officer aboard, the operator of a fishing vessel must be alert for communications conveying enforcement instructions.

(2) If the size of the vessel and the wind, sea, and visibility conditions allow, loudhailer is the preferred method for communicating between vessels. If use of a loudhailer is not practicable, and for communications with an aircraft, VHF-FM or high frequency radiotelephone will be employed. Hand signals, placards, or voice may be employed by an authorized officer and message blocks may be dropped from an aircraft.

(3) If other communications are not practicable, visual signals may be transmitted by flashing light directed at the vessel signaled. Coast Guard units will normally use the flashing light signal "L" as the signal to stop.

(4) Failure of a vessel's operator to stop his vessel when directed to do so

by an authorized officer using loudhailer, radiotelephone, flashing light signal, or other means constitutes *prima facie* evidence of the offense of refusal to permit an authorized officer to board.

(5) The operator of a vessel who does not understand a signal from an enforcement unit and who is unable to obtain clarification by loudhailer or radiotelephone must consider the signal to be a command to stop the vessel instantly.

(c) *Boarding.* The operator of a vessel directed to stop must

(1) Guard Channel 16, VHF–FM if so equipped;

(2) Stop immediately and lay to or maneuver in such a way as to allow the authorized officer and his party to come aboard;

(3) Except for those vessels with a freeboard of four feet or less, provide a safe ladder, if needed, for the authorized officer and his party to come aboard;

(4) When necessary to facilitate the boarding or when requested by an authorized officer, provide a manrope or safety line, and illumination for the ladder; and

(5) Take such other actions as necessary to facilitate boarding and to ensure the safety of the authorized officer and the boarding party.

(d) *Signals.* The following signals, extracted from the International Code of Signals, may be sent by flashing light by an enforcement unit when conditions do not allow communications by loudhailer or radiotelephone. Knowledge of these signals by vessel operators is not required. However, knowledge of these signals and appropriate action by a vessel operator may preclude the necessity of sending the signal "L" and the necessity for the vessel to stop instantly.

(1) "AA" repeated (.- .-) [1, 2] is the call to an unknown station. The operator of the signaled vessel should respond by identifying the vessel by radiotelephone or by illuminating the vessel's identification.

(2) "RY–CY" (.-. -.-- -.-. -.--) means "you should proceed at slow speed, a boat is coming to you." This signal is normally employed when conditions allow an enforcement boarding without the necessity of the vessel being boarded coming to a complete stop, or, in some cases, without retrieval of fishing gear which may be in the water.

(3) "SQ3" (... --.- ...--) means "you should stop or heave to; I am going to board you."

(4) "L" (.-..) means "you should stop your vessel instantly."

[FR Doc. 84–6799 Filed 3–14–84; 8:45 am]
BILLING CODE 3510–22–M

[1] Period (.) means a short flash of light.
[2] Dash (-) means a long flash of light.

Proposed Rules

Federal Register
Vol. 49, No. 52
Thursday, March 15, 1984

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

1 CFR Ch. III

Immigration Procedures; Request for Comments

AGENCY: Administrative Conference of the United States; Committee on Rulemaking.

ACTION: Notice; request for comments.

SUMMARY: The Committee on Rulemaking of the Administrative Conference is reviewing the procedures currently used to decide various immigration matters, including denaturalization, deportation, exclusion, and requests for asylum. The Committee plans to develop proposed recommendations in these areas and submit them to the entire Conference membership at its meeting this June. The Committee also is considering the procedures that would be needed to implement the immigration reform legislation that is pending in Congress. This notice invites interested persons to submit views and information to aid the Committee in its consideration of this subject.

DATES: Comment Deadline: April 9, 1984. One copy is sufficient. Comments received after the deadline will be considered to the extent feasible.

ADDRESSES: Send comments to: Michael W. Bowers, Administrative Conference of the United States, 2120 L Street NW., Suite 500, Washington, D.C. 20037.

FOR FURTHER INFORMATION CONTACT: Michael W. Bowers, Administrative Conference of the United States, 2120 L Street NW., Suite 500, Washington, D.C. 20037; telephone (202) 254–7065.

SUPPLEMENTARY INFORMATION: The Administrative Conference's Committee on Rulemaking has begun a review of information adjudication procedures. Initially, the Committee is considering possible improvements in denaturalization, deportation, exclusion and asylum procedures. The Committee plans to submit proposed recommendations in these areas to the Conference membership in June. In addition, the Committee is considering the procedural implications of pending immigration reform legislation. Should that legislation be enacted into law, there will be a need to immediately put into place new procedures for the legalization of aliens residing in this country, as well as procedures to implement the employer sanction provisions of the law. Therefore, the Committee also requests views on these issues.

The Committee has received a draft report on immigration adjudication procedures from Dean Paul R. Verkuil, Tulane University Law School. Copies of the report can be obtained from the contact person identified in this notice. Dean Verkuil's proposed recommendations are reproduced below. The Committee invites comments on these proposed recommendations, as well as suggestions for additional study or action.

The Committee will meet shortly after the comment deadline to consider the consultant's recommendations and any comments received. Notice of subsequent Committee meetings to consider the proposed recommendations and comments will be published in the **Federal Register.** All comments submitted to the Committee will be placed in a file available for public inspection during normal business hours (9:00 a.m. to 5:30 p.m. Monday through Friday, excluding federal holidays) at the Office of the Chairman of the Administrative Conference, 2120 L Street NW., Suite 500, Washington, D.C. 20037.

Proposal on Which Comments Are Requested

Improvements in Immigration Procedures

Preamble

The immigration process has recently come under close scrutiny by Congress and the courts. It has been subjected to internal changes by the Immigration and Naturalization Service (INS) and the Department of Justice. These conditions make timely a review by the Administrative Conference of the procedures currently employed in immigration adjudications. In addition, legislative proposals for legalization of aliens and sanctions against employers who hire illegal aliens present unresolved process issues that might benefit from the Conference's suggestions.

Immigration law is undergoing change due to enormous pressures upon our society created by illegal immigration and mass asylum requests. INS is currently intercepting more than 1 million potential illegal entrants annually and it has a backlog of 170,000 asylum cases that need to be resolved.

Internal reforms have been implemented by the Department of Justice to meet objections to the INS decision process; principal among these is the placement of the immigration judge function directly under the Attorney General (and outside the control of INS). The INS has also revised some of its procedures on its own initiative and as a result of judicial oversight.

Pending legislation [1] propose dramatic changes in immigration law. It would legalize the estimated 6,000,000 illegal aliens who can prove continuous presence for a period of years and seeks to discourage the further flow of illegal aliens by penalizing employers who hire them. These developments have procedural implications that have not been addressed in the proposed legislation. If the bill becomes law, the decision burden on the INS, the Department of Justice and, ultimately, the courts will approximate that currently imposed by the Social Security disability program.

All immigration procedures are "informal", in that none is controlled by the formal adjudication provisions of the Administrative Procedure Act, 5 U.S.C. 554. Thus any analysis of the appropriate procedural ingredients of a particular immigration function cannot rely upon the APA as a guide, but must incorporate judicially developed notions of fair procedure and due process. The principal immigration functions under scrutiny from an adequacy of process respective are denaturalization, deportation, asylum and exclusion determinations, the decision whether to parole or detail aliens awaiting exclusion or deportation hearings and a variety of discretionary decisions made

[1] The Immigration Reform and Control Act, S. 529, H.R. 1510, 98th Cong., 1st Sess. (1983), commonly known as the "Simpson-Mazzoli bill."

by the Attorney General, such as suspension of deportation, extended voluntary departure and adjustment of status.

Proposed Recommendations

1. *Expediting Denaturalization Proceedings.*—Presently, no citizen can be deported without first being denaturalized in a trial-type proceeding in federal district court. This is followed by a deportation hearing before an immigration judge on essentially the same issues presented to the federal district court. Each proceeding takes time to conduct and, by providing the separate opportunity for judicial appeals, creates considerable potential for delay.

Fairness will not be affected and efficiency will be enhanced if the federal district court proceeding determines issues relating both to denaturalization and deportation, so long as the defendant has an opportunity to raise all matters concerning deportation and relief from denaturalization in that proceeding, subject to judicial review. The Conference recommends the legislative and administrative changes necessary to implement this change in the denaturalization process.

2. *Appropriate Standards of Notice for Those Seeking Asylum.*—The INS inspectors currently do not ensure that every undocumented entrant at our borders (or at consular offices abroad) receives notice of the opportunity to apply for asylum. Instead officials probe potential asylees to determine if they offer even unarticulated claims for asylum. The objection to automatic notice of the asylum opportunity is that it will clog the overburdened decision system with frivolous cases.

The Conference does not recommend a change in this practice of subjective evaluation; but it does recommend that INS employ internal checks upon the behavior of individual inspectors to ensure that their evaluations are evenhanded and consistent.

3. *Notice in Exclusion Proceedings.*—Under current notice standards, an alien can be required to present a defense in an exclusion proceeding in less than 24 hours upon being denied entry. Although the alien may ask for a continuance, that right might often not be exercised because legal representation is often unavailable.

The Conference believes that the INS should not require aliens to appear in an exclusionary proceeding on less than three days notice, unless the alien waives that length of notice after discussion with a qualified representative.

4. *Appropriate Procedures for Detention Hearings.*—The Attorney General reversed longstanding policy in deciding that those excluded or awaiting exclusionary proceedings should no longer be paroled as a matter of course. This detention policy, which bears most heavily upon Mariel Cubans, applies to all awaiting exclusion hearings who must seek parole via INS bond hearings. The INS was ordered by the district court in the Mariel Cuban detention proceeding to provide a full trial-type hearing for those detained,[2] despite the presence of its administrative Status Review Plan. The Plan provides for review of the file of each detainee by two Department of Justice employees to determine the need for continued confinement. If the panel recommends against parole, the detainee is entitled to a personal interview with the panel (with a representative present) on seven days notice. If denied again, the panel provides a statement of reasons to the detainee. No appeals are permitted, but this process is activated annually as a method of testing the continued need for confinement.

While INS may not have designed the perfect procedure, the judicialized process imposed by the district court is excessive by due process standards. The Conference believes the Status Review Plan can be utilized if it is improved in the following ways: (a) it should be applied equally to all detainees; (b) detainees should be entitled to an oral interview with a panel that is different from the one that originally recommended against parole; and (c) an administrative appeal mechanism should be added.

5 *The Proper Use of State Department Reports.*—The current INS practice under the Refugee Act of 1980 is to adjourn asylum hearings for the purpose of requesting an advisory opinon from the Bureau of Human Rights and Humanitarian Affairs (BHRHA) of the Department of State. BHRHA reviews each asylee's file, then sends a report to the immigration judge containing a statement about the merits of the individual asylee's application. The report is often decisive in the hearing process. This procedure imposes undue delay upon the process of decision (it takes an average of six months to receive the reports) and unnecessarily compromises the confrontational rights of the asylees.

The Conference recommends that the BHRHA reports be limited to general statements concerning the human rights conditions in the country from which the potential asylee is fleeing. These are legislative facts more susceptible to nonadversary resolution. The issue of an individual's actual fear of persecution should be resolved by the immigration judge in the fact-finding hearing process itself.

6. *The Role of Rulemaking in Immigration Proceedings.*—Both the Department of State and the Department of Justice have underutilized rulemaking as a method for channeling discretion in immigration matters. For the Department of State, rulemaking should be encouraged in the resolution of generic issues such as country-wide human rights conditions referred to in paragraph 5. For the INS and the Department of Justice, using rules to establish standards for the exercise of discretionary decisions, like adjustment of status, is highly desirable, as the Conference has earlier noted.[3]

7. *Process Issues in the Legalization, Employer Sanction and Asylum Proposals.*—The Simpson-Mazzoli bill proposes two dramatic changes in current immigration law that have unresolved procedural consequences. The first involves legalization decisions where predictions are that in excess of two million undocumented aliens (one third of the illegal alien population) will seek relief within the 12 month statutory period for legalization. Most of the evidence will be directed at proof of continuous presence in the United States for the required period of years. The bill does not fix decisional responsibility on any one administrative entity except that it gives the Attorney General final decisional responsibility. Judicial review is explicity denied.

INS is planning to run the legalization process itself, but there may well be resistance among the client population to complete INS control of the process. The Conference recommends consideration of a temporary "Legalization Board" approach, similar to that used in establishing the Presidential Clemency Board, to oversee the work of INS in processing legalization claims. This board, which could report decisions to the Attorney General for final decision, would serve to publicize and objectify the process by acting as an independent administrative reviewer of initial INS legalization decisions.

Alternatively, the INS may want to consider turning over the initial

[2] Fernandez-Roque v. Smith, 567 F. Supp. 1115 (N.D. Ga. 1983).

[3] Recommendation 71-5, Procedure of the Immigration and Naturalization Service in Respect to Change-of-Status Applications, 1 CFR 305.71-5; Statement on Guidelines for Choosing the Appropriate Level of Agency Policy Articulation, 1 CFR 310.9.

determinations to state and local governmental units which currently administer the food stamp program under guidelines provided by the Department of Agriculture. The INS could offer these deciders comparable guidance with regard to the legalization program. These units are familiar with the kind of client population and method of decisionmaking that would be suitable in a legalization program.

A second major process change the bill works is in employer sanction decisions. These are the cases that will arise when employers are fined for knowingly hiring illegal aliens. The issues to be resolved and the employer population affected will be similar to those involved in OSHA penalty hearings. At the present time, the House and Senate versions of the Simpson-Mazzoli bill differ on whether the deciders of employer sanction cases should be administrative law judges.

The Conference recommends that ALJs decide employer sanction cases in formal administrative proceedings under 5 U.S.C. 554 since they involve a population usually outside the immigration context and criminal penalities are at issue. This does not mean, however, that the present immigration judge system, put in place by the Department of Justice in January 1983, is not adequate for resolving the usual cases that arise in the immigration setting (*i.e.*, deportation, exclusion, asylum, etc.).

The Simpson-Mazzoli bill also contains strict timetables for asylum cases designed to eliminate the present backlog of 170,000 cases. The bill seeks to reduce average asylum decision time from its present 18 months to 45 days. This is a major undertaking with obvious resource implications. (Experience suggests that eight times the present number of immigration judges could be needed to accomplish this reduction of decision time).

While prompt decisionmaking is desirable, the Conference has in other contexts cautioned against legislatively mandated times for decision. *See* Recommendation 78–1. These concerns would appear to apply equally to the proposed time limits in the immigration legislation.

List of Subjects in 1 CFR Chapter III

Administrative practice and procedure, Immigration.

Richard K. Berg,

General Counsel.

March 8, 1984.

[FR Doc. 84–7008 Filed 3–14–84; 8:45 am]

BILLING CODE 6110-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 991

[Docket No. AO-352-A-2]

Hops of Domestic Production; Formal Rulemaking Proceeding

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of opportunity to submit proposals: Extension of Time for Submitting Proposals.

SUMMARY: The time for interested persons to submit proposals to amend the marketing order for domestically produced hops is extended from March 12 to April 10, 1984.

DATE: Proposals must be received by April 10, 1984.

ADDRESS: Send four copies of any proposals in writing to the Hearing Clerk, U.S. Department of Agriculture, Room 1077, South Building, Washington, D.C. 20250, where they will be available for public inspection during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Frank M. Grasberger, Acting Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, (202) 447–5053.

SUPPLEMENTARY INFORMATION: Notice was published in the January 11, 1984, **Federal Register** (49 FR 1380) inviting interested persons to submit proposals by March 12, 1984, to amend the marketing order for domestically produced hops. The Hop Administrative Committee (HAC) requested that the deadline date for submission of amendment proposals be extended 30 days. An extension of time until April 10, 1984, is hereby granted in order to give hop producers, handlers and the public adequate time to prepare and submit written proposals for the hearing.

Soon after April 10, the Administrator will review the proposals in accord with 7 CFR 900.3, and a notice of hearing will be issued and published in the **Federal Register** announcing the amendatory proposals, and the locations, date, and time of the public hearing.

Any proposals submitted should cite specific sections of the hop marketing order (7 CFR Part 991) to which they relate and should reference Docket No. AO–352–A–2.

Signed at Washington, D.C. on March 12, 1984.

Eddie F. Kimbrell,

Deputy Administrator, Commodity Service.

[FR Doc. 84–6974 Filed 3–14–84; 8:45 am]

BILLING CODE 3410-02-M

Commodity Credit Corporation

7 CFR Part 1434

[Amdt. 2]

Honey Price Support Regulations Governing 1982 and Subsequent Crops

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Proposed rule.

SUMMARY: The purpose of this proposed rule is to revise the regulations governing the Honey Price Support Program to provide that farm-stored honey, must not contain more than 18.5 percent moisture in order to be eligible for price support. This is currently a condition of eligibility for warehouse-stored honey. This action is being taken to protect the Commodity Credit Corporation's interest.

DATE: Comments must be received on or before April 16, 1984 in order to be assured of consideration.

ADDRESSES: Interested persons should submit comments to Director, Cotton, Grain, and Rice Price Support Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: Ross D. Ballard, (202) 447–7988. A preliminary regulatory impact analysis is being prepared and will be available for review before publication of the document that analyzes public comment on this proposed rule.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Departmental Regulation No. 1512–1 and has been classified "not major." This rule has been classified "not major" since it will not result in:

(1) An annual effect on the economy of $100 million or more; (2) major increases in costs or prices for consumers, individual industries, federal, State, or local government agencies or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to

compete with foreign-based enterprises in domestic or export markets.

The title and number of the federal assistance program to which this proposed rule applies to are: Commodity Loans and Purchases; 10.051, as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to the rule since CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Much of the farm-stored honey acquired by CCC under the Honey Price Support Program over the past three years has been of an inferior quality due to a moisture content in excess of 18.5 percent. Honey with a moisture content in excess of 18.5 percent is difficult to store and may require special handling. High moisture honey is more susceptible to fermentation. The honey must either be disposed of or be processed quickly. In order to dispose of such honey, CCC must offer it for sale on a bid basis and the bids received are usually several cents per pound less than the amount CCC has invested in the honey under the price support program. Accordingly, it is proposed that the regulations governing the price support program be amended to provide that farm-stored honey must not exceed 18.5 percent moisture in order to be eligible for price support.

The comment period is limited to 30 days to permit an adequate review of any comments submitted on this proposed rule before a final rule is developed for publication prior to the loan availability date. Producers will be able to obtain loans on 1984-crop honey beginning April 1, 1984, for honey that was extracted on or after January 1, 1984. Prompt action is necessary to permit producers to be adequately informed of the changes applicable to 1984-crop honey before they start extracting honey.

List of Subjects in 7 CFR Part 1434

Honey, Loan programs—agriculture, Price support programs, Warehouses.

Proposed Rule

PART 1434—[AMENDED]

Accordingly, it is proposed that 7 CFR 1434.7(d) be revised to read as follows:

§ 1434.7 Eligible honey.

* * * * *

(d) *Moisture requirements for loans.* To be eligible for price support, honey must not contain in excess of 18.5 percent moisture.

Authority: Sec. 4, 62 Stat. 1070, as amended (15 U.S.C. 714b); Sec. 5, 62 Stat. 1072 (15 U.S.C. 714c); secs. 201, 401, 63 Stat. 1052, 1054 (7 U.S.C. 1446, 1421).

Signed at Washington, D.C. on March 8, 1984.

Everett Rank,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 84-6801 Filed 3-14-84; 8:45 am]

BILLING CODE 3410-05-M

FEDERAL RESERVE SYSTEM

12 CFR 207, 220 and 221

[Docket No. R-0512]

Regulations G, T and U, Securities Credit Transactions; Amendment to Definition of "Margin Security" to Automatically Include National Market System Securities

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Proposed amendments.

SUMMARY: The Board proposes to amend the definition of "margin security" in Regulation T and the definitions of "margin stock" in Regulations G and U to give automatic marginability to any over-the-counter security designated by the Securities and Exchange Commission as qualified for trading in the National Market System.

DATE: Comments should be received by April 27, 1984.

ADDRESS: Comments, which should refer to Docket No. R-0512, may be mailed to William Wiles, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, D.C. 20551, or delivered to Room B-2223 between 8:45 a.m. and 5:15 p.m. Comments received may be inspected at Room B-1122 between 8:45 a.m. and 5:15 p.m., except as provided in § 261.6(a) of the Board's Rules Regarding Availability of Information (12 CFR 261.6(a)).

FOR FURTHER INFORMATION CONTACT: Robert S. Plotkin, Assistant Director, Laura Homer, Securities Credit Officer, or Jamie Lenoci, Financial Analyst, Division of Banking Supervision and Regulation (202) 452-2781. For information on the economic analysis contact: Carolyn DuBose Davis, Economist, Division of Research and Statistics (202) 452-3633.

SUPPLEMENTARY INFORMATION: The National Association of Securities Dealers (NASD) has asked the Board to give automatic marginability to those securities on its "National List." The NASD regards over 2500 securities trading in its automated quotation system (NASDAQ) including 700 stocks in the National Market System, as its National List. Information on prices and volume of trading for securities on the National List is published in about 100 U.S. and foreign newspapers. The majority of stocks in the National List are already on the Board's List of OTC Margin Stocks or are potential candidates for the List. The Board's List is published three times a year but because of time lags in adding stocks to the List, the NASD believes it is at a competitive disadvantage with exchanges where securities are marginable as soon as a registration for listing becomes effective. Staff analysis indicates that securities trading in the National Market System with "last sale" reporting could be made automatically marginable (upon publication in the **Federal Register** of the additions to and deletions from that category) since liquidity and other factors compare favorably with securities traded on major exchanges. The other National List securities do not have "last sale" reporting and, as a group, exhibit less liquidity. It is expected that the Securities and Exchange Commission will publish the securities added to or removed from the National Market System designation in the **Federal Register**; upon this filing the securities will be automatically "margin securities."

Initial Regulatory Flexibility Analysis

The Board's proposal to amend its margin regulations to include securities that are designated as qualified for trading in the National Market System by the Securities and Exchange Commission is not expected to have any adverse impact on a substantial number of small businesses. Analysis indicates that approximately 95 percent of all present National Market System securities are currently on the Board's List of OTC Margin Stocks. Under the proposal, the potential candidates would be marginable at a brokerage firm as soon as the SEC files the names with the **Federal Register** for publication and could be used immediately as collateral in a margin account. However, because of the marginability of these securities, certain constraints on loans by banks and others would be imposed at the time of the **Federal Register** filing.

List of Subjects

12 CFR Part 207

Banks, Banking, Credit, Federal Reserve System, Margin, Margin requirements, Reporting and recordkeeping requirements, Securities.

12 CFR Part 220

Banks, Banking, Brokers, Credit, Federal Reserve System, Margin, Margin requirements, Investments, Reporting and recordkeeping requirements, Securities.

12 CFR Part 221

Banks, Banking, Credit, Federal Reserve System, Margin, Margin requirements, Reporting and recordkeeping requirements, Securities.

Accordingly, pursuant to sections 7 and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78g and 78w), the Board proposes to amend Regulation G, T and U (12 CFR Parts 207, 220 and 221 respectively) as follows:

PART 207—SECURITIES CREDIT BY PERSONS OTHER THAN BANKS, BROKERS, OR DEALERS

1. Section 207.2, paragraph (i) is revised to read as follows:

* * * * *

§ 207.2 Definitions.

* * * * *

(i) "Margin stock" means: (1) Any equity security registered or having unlisted trading privileges on a national securities exchange;

(2) Any OTC margin stock;

(3) Any OTC security designated by the SEC as qualified for trading in the National Market System.

(4) Any debt security convertible into a margin stock or carrying a warrant or right to subscribe to or purchase a margin stock;

(5) Any warrant or right to subscribe to or purchase a margin stock; or

(6) Any security issued by an investment company registered under section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8), other than:

(i) A company licensed under the Small Business Investment Company Act of 1958, as amended (15 U.S.C. 661); or

(ii) A company which has at least 95 percent of its assets continuously invested in exempted securities (as defined in 15 U.S.C. 78c(12)).

* * * * *

PART 220—CREDIT BY BROKERS AND DEALERS

1. In § 220.2, paragraph (o) is revised to read as follows:

* * * * *

§ 220.2 Definitions.

* * * * *

(o) "Margin security" means: (1) Any registered security;

(2) Any OTC margin stock;

(3) Any OTC margin bond;

(4) Any OTC security designated by the SEC as qualified for trading in the National Market System; or

(5) Any security issued by either an open-end investment company or unit investment trust which is registered under section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8).

* * * * *

PART 221—CREDIT BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING MARGIN STOCKS

2. In § 221.2, paragraph (h) is revised to read as follows:

* * * * *

§ 221.2 Definitions.

* * * * *

(h) "Margin stock" means: (1) Any equity security registered or having unlisted trading privileges on a national securities exchange;

(2) Any OTC margin stock;

(3) Any OTC security designated by the SEC as qualified for trading in the National Market System.

(4) Any debt security convertible into a margin stock or carrying a warrant or right to subscribe to or purchase a margin stock;

(5) Any warrant or right to subscribe to or purchase a margin stock; or

(6) Any security issued by an investment company registered under section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8), other than:

(i) A company licensed under the Small Business Investment Company Act of 1958, as amended (15 U.S.C. 661); or

(ii) A company which has at least 95 percent of its assets continuously invested in exempted securities (as defined in 15 U.S.C. 78c(12)).

* * * * *

By order of the Board of Governors of the Federal Reserve System, March 7, 1984.

William W. Wiles,

Secretary of the Board.

[FR Doc. 84-6774 Filed 3-14-84; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 84-ASW-12]

Proposed Designation of Transition Area; Fairfield, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration proposes to designate a transition area at Fairfield, TX. The intended effect of the proposed action is to provide controlled airspace for aircraft executing a new standard instrument approach procedure (SIAP) to Pyramid Ranch Airport. This action is necessary since the airport owner plans to install a nondirectional radio beacon (NDB) on the airport and an SIAP will be developed for the approach. Coincident with this proposed action, the airport will be changed from visual flight rules (VFR) to instrument flight rules (IFR).

DATES: Comments must be received on April 16, 1984.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101; telephone: (817) 877-2630.

SUPPLEMENTARY INFORMATION:

History

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in Advisory Circular AC 70-3A dated January 3, 1983, contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Designation of the transition area at Fairfield, TX, will necessitate an amendment to this

subpart. This amendment will be required at Fairfield, TX, since there is a proposed change in IFR procedures to the Pyramid Ranch Airport, and installation of a NDB to serve the airport.

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commentors wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 84-ASW-12." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, or by calling (817) 877-2630. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones and/or transition areas.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

PART 71—[AMENDED]

Fairfield, TX New

That airspace extending upwards from 700 feet above the surface within a 6.5-mile radius of the Pyramid Ranch Airport (latitude 31°51'45" N., longitude 96°11'50" W.) and within 3 miles each side of the 039 degree bearing of the NDB (31°51'45" N., longitude 96°11'43" W.) extending from the 6.5-mile radius area to 8.5 miles northeast.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.61(c))

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, TX, on March 6, 1984.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 84-6885 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 453

Funeral Industry Practices

AGENCY: Federal Trade Commission.

ACTION: Notice of staff guidelines.

SUMMARY: The Federal Trade Commission is hereby publishing these staff guidelines, prepared by the Bureau of Consumer Protection. These guidelines have not been formally approved or adopted by the Commission. They represent the views of the Bureau of Consumer Protection and do not necessarily represent the views of the Commission or any individual Commissioner.

These staff guidelines explain the procedures which staff will follow in handling requests for State exemptions from the Commission's trade regulation rule on Funeral Industry Practices, 16 CFR Part 453 (1983) (Funeral Rule) and explain procedures which staff will recommend that the Commission follow in granting and denying such exemptions.[1] The FTC Improvements Act of 1980 [2] provides that if a State applies for an exemption from the Funeral Rule, an exemption will be granted if the Commission determines that: (1) There is in effect a State requirement which applies to any transaction to which the Funeral Rule applies, and (2) the State requirement affords an overall level of protection to consumers which is as great as, or greater than, the protection afforded by the Rule. Such an exemption will continue for so long as the State effectively administers and enforces its law. The effect of the exemption is that the Funeral Rule is not in effect in that State.

These guidelines explain what material States should submit as part of a complete exemption application, what procedures are required by current Commission rules for considering exemption applications, and what specific procedures staff will recommend that the Commission use in granting, denying and revoking exemptions under the Funeral Rule. Thus, the guidelines are intended to give States and other interested parties as much advance guidance as possible regarding how the exemption proceedings will be handled.[3]

Although these guidelines have been tentatively adopted, staff invites comments on any aspect of the guidelines. Staff will carefully review and consider all comments received, and will issue revised guidelines if staff believes they are warranted in light of the comments received. If no changes to the guidelines are made as a result of public comments, the Commission will publish a notice that these guidelines have become final.

DATE: These guidelines have been tentatively adopted. Comments are invited and must be received on or before April 16, 1984.

ADDRESS: Comments may be sent to Lewis Rose, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: Lewis Rose, Division of Enforcement, Bureau of Consumer Protection, Federal

---

[1] Such exemptions are required by section 19(d) of the FTC Improvements Act of 1980, 94 Stat. 393; 15 U.S.C. 57a note 13.

[2] *Id.*

[3] Interested persons should understand that, insofar as these guidelines discuss the procedures which staff intends to recommend, the Commission remains free to adopt different procedures.

Trade Commission, Washington, D.C. 20580, (202) 376-2863.

SUPPLEMENTARY INFORMATION:

List of Subjects in 16 CFR Part 453

Funeral homes, Price disclosure, Trade practices.

Staff Guidelines

Consultation With Staff

Commission staff will be available to consult informally with State officials on both procedural and substantive questions that may arise concerning requests for exemptions. State officials should be aware, however, that the Commission may not have ruled on some issues that may arise and under such circumstances, staff may be unable to provide definitive guidance on how the Commission will decide such issues. Also, staff advice will not be binding on the Commission.

Criteria for Determination

These guidelines are not intended to set forth substantive criteria for determining whether a State's law provides an overall level of protection which is as great as, or greater than, the protection afforded by the Funeral Rule. Rather, the Commission will make a case-by-case determination of the overall level of protection afforded by the State law and whether the State law is administered and enforced effectively. No rigid formula can be set forth for guiding the Commission in this determination. Factors which the Commission may consider include such things as the means available to the State to enforce its provisions, the existence of any private rights of action by an aggrieved consumer, the scope and format of required price and other disclosures and the extent to which consumers are being protected from the unfair or deceptive acts or practices defined in the Rule.

Elements of a Complete Application

States should submit the following information and material as part of a complete application for an exemption. Items (1) and (2) may be submitted by the State agency having primary enforcement responsibility for the law which is the subject of the exemption application, by the State attorney general, or by the State governor.

(1) The application should include a copy of all relevant State statutes, regulations and court cases, and a statement comparing the State law with the Funeral Rule, on a provision-by-provision basis, and explaining how the State law applies to the same transactions as the Rule and affords an overall level of protection to consumers which is as great as, or greater than, the protection afforded by the Rule. For each provision of the Funeral Rule, this statement should cite any corresponding provisions of State law and discuss the extent to which State law provides protection comparable to that provision of the Rule. The overall objective of the statement should be to explain how State law provides an overall level of protection which is as great as, or greater than, that afforded by the Rule.

(2) The application should provide sufficient information to show the State's willingness and ability to effectively administer and enforce its law. In preparing its recommendation to the Commission, staff will consider the following information to be relevant to this determination.

(a) The fiscal arrangements and funding of the State agency (or agencies) which are, or will be, enforcing the State law, or other information showing that the State agency has adequate funding to properly enforce the law.

(b) The number and qualifications of persons engaged in the enforcement and administration of the State law, or other information indicating that the State has adequate qualified personnel to administer and enforce the law. In describing the qualifications of personnel, States need not provide detailed resumes, but should indicate the general background and training of the personnel, *e.g.*, whether they are attorneys, accountants, trained investigators, etc.

(c) The State's enforcement procedures and policies, current or planned.

(d) The State's past history of enforcement of any statutes or regulations governing funeral practices which are comparable to the Rule.

(e) The level of compliance with any State statutes or regulations governing funeral practices which are comparable to the Rule, insofar as this information is relevant to the State's enforcement history.

Staff recognizes that some of the information described in items (a)-(e) may not be relevant or available in certain States and that each State application must be tailored to the individual circumstances of that State. Past enforcement data, for example, may differ from State to State. Some States may have made extensive changes in their law or enforcement policies just prior to filing an exemption, in which case past performance data would be less relevant. Other States may have a significant history of enforcing laws comparable to the Rule, in which case enforcement data might be highly relevant. Thus, these guidelines allow States some flexibility in preparing their applications. However, once staff has reviewed a State's submission, staff may request additional information which it believes to be relevant.

(3) A complete application for an exemption must also include a statement from the State attorney general that State law provides adequate authority to support the regulations, conclusions, interpretations, policies and procedures described in the statements submitted pursuant to items (1) and (2) above. Where appropriate, this statement may include citations to the specific statutes, regulations, and judicial decisions which demonstrate adequate authority. The statement should also discuss any pending legal challenges to the statutes, regulations, conclusions, interpretations, policies and procedures described in the statements submitted pursuant to items (1) and (2).

Procedures for Public Participation

As stated in the Funeral Rule Statement of Basis and Purpose (47 FR at 42287), the Commission will follow the procedures of § 1.16 of the Commission's Rules of Practice in considering requests for State exemptions. This section states that any person to whom a rule would otherwise apply may petition the Commission for an exemption from such rule and that the procedures for determining such a petition shall be those of Subpart C of the Commission's rules.

Subpart C of the Commission's Rules of Practice, 16 CFR 1.21-1.26, requires the Commission, in general, to publish notice of a proposed exemption in the **Federal Register**, and to allow a period of time for interested parties to submit written comments concerning the application.[4] The rules also provide that an oral hearing on a proposed exemption may be held within the discretion of the Commission.[5]

Once a complete application for an exemption, as described above, has been received, staff will recommend that the Commission place this material on the public record, publish a notice in the **Federal Register** and allow a period of time for interested persons to submit written comments. During the comment

[4] 16 CFR 1.26(b). Public notice and comment may be omitted if the Commission for good cause finds that notice and public procedure are impractical, unnecessary or contrary to the public interest and incorporates such finding and a brief statement of the reasons therefor in its final decision. 16 CFR 1.26(b).

[5] 16 CFR 1.26(c).

period, staff will specifically solicit the views of the State governor and attorney general to ensure that the Commission becomes aware of the complete views of both of these officials. While the Commission's rules provide that oral hearings may be held within the discretion of the Commission, staff anticipates that in most instances a period for written comments may well be sufficient for a full and fair presentation of significant issues and that there will be no need to schedule oral hearings or additional comment periods.

Staff plans to recommend that the Commission schedule an oral evidentiary hearing only if there are significant factual issues which can only be adequately presented through an oral hearing. Staff anticipates that this will usually be true only where cross-examination is necessary to fully and fairly present significant factual issues. Staff does not believe that oral evidentiary hearings should be held routinely or simply to allow parties to state opinions and facts which could be presented through written comments, and will recommend against evidentiary hearings under such circumstances.[6]

Staff believes that oral presentations before the Commission generally should not be allowed, absent unusual and compelling circumstances. Under most circumstances, interested parties will be able to present their views and evidence fully and fairly during the written comment period and any oral evidentiary hearings or rebuttal comment periods that are scheduled. However, oral presentations may be allowed in limited instances, within the discretion of the Commission.

Subpart C of the Commission's Rules does not mention the scheduling of rebuttal comment periods; however, the scheduling of such comment periods is within the discretion of the Commission. Staff plans to recommend that a period for rebuttal comments be scheduled only if this is necessary for a full and fair presentation of significant issues.

Interested parties may request that the Commission schedule an oral hearing or a period for rebuttal comments. (The Commission may also schedule such proceedings on its own initiative, absent a request by interested parties.) Such requests should give specific reasons for scheduling such proceedings and should discuss the criteria which will guide the staff recommendation, discussed above. Staff anticipates that the need for oral hearings will generally be determined after the initial comment period. The need for a rebuttal comment period could also be determined at that time.[7] The **Federal Register** Notice announcing an exemption proceeding will give specific details regarding how interested parties may file requests for oral hearing and rebuttal comment period.[8]

Grant of Exemption: Notice and Reporting Requirements

Section 1.26(d) of the Commission's Rules of Practice [9] provides that after the Commission has considered all relevant matters, including those presented by interested persons in the proceeding, the Commission will publish notice of its decision in the **Federal Register.**

If the Commission grants an exemption, the exemption will continue only for so long as the State effectively administers and enforces its law. To ensure that the conditions for an exemption continue to be met, staff plans to recommend that the Commission condition state exemptions on a requirement that the State provide notice of any changes in its law, policies or procedures which would significantly affect whether the State law provides an overall level of protection to consumers which is as great as, or greater than, the protection afforded by the Rule or whether the State is effectively enforcing its law.

Staff also plans to recommend that the Commission require an exempt State to submit such reports regarding its enforcement activities as are necessary or desirable to ensure that the State is effectively enforcing and administering its law. Staff anticipates that the Commission will decide, at the time of granting an exemption, the nature and frequency of any such reports which may be necessary or desirable. Staff may also recommend that the Commission change the reporting requirements at a later date, if circumstances warrant, or recommend that the Commission request additional information from a State if the Commission determines that this is needed. Staff anticipates that reporting requirements may vary from State to State if the Commission determines that there are significant differences among States which would warrant differing reporting requirements.

Under extraordinary circumstances, staff may recommend that the Commission grant a conditional exemption, subject to Commission review after a prescribed period of time. If such a recommendation were adopted by the Commission, the State involved would be required to reapply for an exemption at the end of the prescribed period, by updating its original application and submitting evidence demonstrating effective enforcement activity during the period. The Commission would review this material, after scheduling a period for written comments, and possibly oral hearings and a period for rebuttal comments. The Commission would then determine whether to approve the State's exemption application; at that point the conditional exemption would expire. Such a conditional exemption may be recommended for a State that: (1) Has adopted a statute or rules adequate to satisfy the exemption criteria, and (2) has presented evidence that it is willing and able to enforce the statute or rules, but (3) has little or no history of effective enforcement of funeral statutes or rules similar to the Rule.

Denial of Exemption

Staff may recommend that, if the Commission believes that an exemption should be denied, after considering the evidence submitted during the public proceeding, the State be given a chance to revise or supplement its application, before the Commission makes a final decision. Thus, under some circumstances, staff will recommend that the Commission give a State an opportunity to submit additional data or arguments to supplement its application or to make changes in its law, policies or procedures in order to meet the requirements for an exemption. This would occur after the public comments had been received and considered.

Factors which staff considers relevant in deciding whether to grant such an opportunity include the nature and extent of any revisions or supplements that may be necessary, the time period needed to implement such revision and the State's intent with regard to implementing the revision. If the necessary revisions can be made fairly quickly and easily, staff will generally recommend that a period for revision be granted. On the other hand, where the time period needed by the State to implement the revisions is extensive or where there is doubt about whether the revisions can or will be made, staff will

[6] Staff will recommend that any evidentiary hearings which are scheduled be strictly limited to specific factual issues designated by the Commission.

[7] If, at the time staff receives an exemption application, staff anticipates that a rebuttal period will be necessary, it will recommend at that time that one be scheduled. In many instances, however, it will not be clear whether a rebuttal comment period is necessary until after the initial written comments have been received.

[8] States could also include requests for such proceedings with their exemption application, citing specific reasons why they would be necessary.

[9] 16 CFR 1.26(d).

generally recommend against such a period. Of course, even if an exemption is denied, a state can always submit a new exemption application if and when revisions have been made.

During any such period of time granted a State to make revisions, the Commission's rule shall remain in effect in such state, until the Commission publishes a notice in the **Federal Register** stating that it has granted an exemption.

If the Commission decides to deny an exemption, after considering all relevant material, and after allowing the State such opportunity for revisions as the Commission decides is desirable, if any, § 1.26(d) of the Commission's Rules requires the Commission to publish notice of its decision in the **Federal Register**, along with a concise statement of its reasons.

Revocation of Exemptions

If staff has reason to believe that an exemption which has been granted may no longer be warranted, staff will recommend that the Commission initiate proceedings to revoke the exemption.[10] Interested persons may also file a petition stating reasonable grounds for revoking an exemption, as provided by 16 CFR 1.25.

Before recommending that the Commission initiate procedures to revoke an exemption, staff will notify the State of the alleged facts or conduct that staff believes may warrant revocation and will afford the state a reasonable period of time to reply to the allegations or make any changes the State may decide to make.

Staff anticipates that procedures for revocation proceedings will be similar to those used for granting or denying exemptions. Public notice and a period of time for interested parties to submit written comments are generally required by § 1.26(b) of the Commission's Rules of Practice,[11] and oral hearings may be held within the discretion of the Commission. Staff plans to recommend that oral hearings and rebuttal comment periods only be scheduled were necessary for a full and fair presentation of significant issues.

[10] Subpart C of the Commission's Rules of Practices deals with revocation proceedings only by stating that procedures for the amendment or repeal of a rule are the same as for the issuance thereof. 16 CFR 1.25.

[11] Public notice and written comment need not be provided if the Commission for good cause finds that notice and public procedure are impractical, unnecessary or contrary to the public interest and incorporates such finding and a brief statement of the reasons therefor in its final decision. 16 CFR 1.26(b).

By direction of the Commission. Commissioner Pertschuk voted in the negative.

Dated: March 9, 1984.

Emily H. Rock,

Secretary.

[FR Doc. 84-6939 Filed 3-14-84; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 177

Proposed Customs Regulations Amendments Relating to Internal Advice Procedure

AGENCY: U.S. Customs Service, Treasury.

ACTION: Proposed rule.

SUMMARY: The Internal Advice procedure is the method by which Customs field offices may request advice or guidance from Customs Headquarters concerning the proper application of the Customs and related laws and regulations with respect to a specific Customs transaction.

This proposal would amend the Customs Regulations to provide that:

1. Customs field offices may deny requests for internal advice that are covered by administrative or judicial precedent;

2. Importers will be limited to one submission per each internal advice request;

3. Importers must submit all pertinent information to Customs within 30 days of requesting internal advice (a one-time extension of 30 days may be granted by the district director); and

4. Importers desiring reconsideration of internal advice decisions should follow the protest procedure contained in the Customs Regulations or seek judicial review.

Customs is proposing the changes to promote uniformity and efficiency in the internal advice ruling process.

DATE: Comments must be received on or before May 14, 1984.

ADDRESS: Written comments (preferably in triplicate) may be addressed to the Commissioner of Customs, Attention: Regulations Control Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Room 2426, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: John T. Roth, Classification and Value Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-5868).

SUPPLEMENTARY INFORMATION:

Background

The Internal Advice (IA) procedure was established in 1974 as a means by which a Customs field office could secure from the Headquarters Office of Regulations and Rulings (OR&R) rapid and definitive advice as to the proper application of the Customs laws and regulations to a transaction currently pending before the field office. Prior to that time, there was no defined procedure under which a field office could receive this kind of assistance and, as a result, different field offices would sometimes respond in different ways to questions for which there were no clear administrative or judicial precedents. On some occasions, the questions being addressed by the field office were the same as those being simultaneously addressed by OR&R in response to a request for a prospective ruling. Among the major effects of the IA procedure have been reduction in the development of inconsistent positions with respect to issues not clearly covered by precedent and a more uniform application of the Customs laws and regulations. The lines of communication opened by the procedure have fostered better relations between the Customs field organization and Headquarters and have contributed to the overall efficiency of the Customs Service.

Although the IA procedure envisions participation by the importer or other parties involved in the transaction (and question) being considered, it was not envisioned as a means of addressing differences of opinion between the importer and Customs which are more properly the subject of the protest procedures set forth in section 514, Tariff Act of 1930, as amended (19 U.S.C. 1514), and Part 174, Customs Regulations (19 CFR Part 174). Similarly, the procedure was not intended as a post-entry alternative to the prospective rulings procedures set forth in § 177.1 through 177.10, Customs Regulations (19 CFR 177.1–177.10). Rather, it is a means of permitting a Customs field office to liquidate a transaction in a manner consistent with the position of OR&R. The procedure thus avoids any reliquidation which would be necessitated by the discovery of a different OR&R position upon protest of the entry.

The IA procedure was first described in Treasury Decision (T.D.) 75-17, published in the **Federal Register** on January 13, 1975 (40 FR 2453). It was modified and further explained in T.D. 75-258, published in the **Federal Register** on October 17, 1975 (40 FR 48701). An

outline of the IA procedure was incorporated into the Customs Regulations (§ 177.11) by T.D. 75-186, published in the Federal Register on July 30, 1975 (40 FR 31928). Since 1975, numerous supplementary instructions relating to the IA procedure have been issued by Headquarters to the Customs field organization.

Although the IA procedure continues to perform essential functions in the administration of the Customs laws and regulations, two principal problems have emerged in the operation of the procedure: (1) In a significant number of cases, substantial delays have occurred in issuing the response to the IA request; and (2) the IA procedure is often asked to address issues which are more properly the subject of a protest or a request for a prospective ruling.

To reduce the amount of time required to reply to an IA request, Customs has established action time frames for each office which handles the request, including OR&R. Compliance with these time frames is monitored and appropriate followup action taken, as required. Customs has also refined, and will continue to refine, the internal processing of IA requests to eliminate procedural steps which are unnecessary and/or to provide for the accomplishment of certain steps concurrently, rather than consecutively. In addition, Customs is proposing, in this document, to require importers (or other parties having an interest in the IA request) to submit their views on the issues raised and all other pertinent information within 30 days of notification by the Customs field office that IA will be requested. Moreover, Customs proposes to require that such importers (or other parties) present their views and information in a single submission, unless additional information is requested by Customs. The current regulations do not specify the time in which importer submissions must be made, nor is a limitation placed on the number of submissions. However, Customs believes that 30 days is a sufficient period of time to allow an importer or his representative to prepare a submission addressing the issue(s) in question. In the event additional time is required, the proposal authorizes the field office to grant a single additional extention of 30 days.

In an effort to realign the IA procedure to its intended purpose of providing the field organization with a means of securing rapid advice on matters which the field office determines are inadequately covered by precedent (or which are otherwise appropriate for Headquarters resolution), Customs proposes to amend the regulations to provide the field office with clear authority to deny requests for internal advice which it determines are covered by existing administrative or judicial precedent. The determination that the matter is covered by precedent will be subject to review by OR&R in the event the entries in question are subsequently protested and further review of the protest is requested (see § 174.25(b), Customs Regulations). Customs similarly intends to deny importer requests for reconsideration of an IA decision; to the extent that the request for reconsideration is based on facts and/or legal arguments not considered by OR&R in reaching the IA decision, the matter may be subject to further review by OR&R in the event the entries are protested (see § 174.25(c), Customs Regulations).

Section 177.11, Customs Regulations, and the IA procedures described in T.D. 75-17 and T.D. 75-258 presently differ with respect to the question of whether a field office may deny a request for internal advice. T.D. 75-258 provides that a field office may deny a request for internal advice if its position on the issue in question is based on clear and definitive precedents. Section 177.11 does not contain such a provision but indicates, in § 177.11(b) (1) and (2), that the field office must request internal advice whenever it is asked to do so by the importer (or other interested party). The latter situation is clearly inimical to maintaining the IA procedure as a means of rapid communication between the field organization and Headquarters and is generally wasteful of the resources available.

Corresponding Changes to Prospective Rulings Procedures

It is believed that certain refinements to the prospective rulings procedure, similar to those described above, are required in order to permit Customs to answer requests for such rulings more expeditiously and to make the most efficient use of the resources available to the administrative rulings program. Although these refinements are consistent with the regulations as currently written and thus do not require amendments to be implemented, public comments are nevertheless invited and will be considered before any final determinations are made on this matter.

1. The prospective rulings procedure contemplates that a complete statement of all relevant facts relating to the transaction to which the ruling request relates will be provided in one submission (see § 177.2, Customs Regulations). In the event all of the information necessary to respond to the ruling request is not contained in the initial submission, Customs intends to apply strictly the rule set forth in § 177.3, Customs Regulations, which provides for the administrative closing of cases when additional information requested from the importer (or other interested party) is not supplied within the period of time provided.

2. Section 177.4(b), Customs Regulations, currently provides for a single oral conference to discuss the issues involved in the ruling request unless Customs determines that additional conferences are necessary. In Customs experience, additional conferences are rarely helpful in its consideration of the issues presented and therefore Customs intends to apply strictly the existing regulations provision.

3. The regulations do not currently provide for importer requests for reconsideration of an administrative ruling. Customs believes that the proper manner for an importer or other interested party to contest an administrative ruling issued under Part 177, Customs Regulations (including and IA decision), is through the protest procedure (Part 174, Customs Regulations) and, after exhaustion of the administrative remedies under those provisions, by judicial review (Part 176, Customs Regulations). Accordingly, Customs will not entertain a request for reconsideration of an administrative ruling from importers or other parties. As presently provided in §§ 177.9(b)(1) and 177.11(b)(1), Customs Regulations, a request for reconsideration submitted by the field office involved will be considered and, when appropriate, the importer or other interested party will be invited to present his views with respect to the matter under reconsideration.

Authority

This proposal is made under the authority of R.S. 251, as amended, section 624, 46 Stat. 759, 77A Stat. 14 (5 U.S.C. 301; 19 U.S.C. 66, 1202 (Gen. Hdnte. 11), 1624).

Comments

Before adopting this proposal, consideration will be given to any written comments timely submitted to the Commissioner of Customs. Comments submitted will be available for public inspection in accordance with § 103.11(b), Customs Regulations (19 CFR 103.11(b)), during regular business days between the hours of 9:00 a.m. and 4:30 p.m. at the Regulations Control Branch, Room 2426 U.S. Customs

Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229.

Executive Order 12291

The proposed amendments do not meet the criteria for a "major rule" as specified in section 1(b) of E.O. 12291. Accordingly, no regulatory impact analysis has been prepared.

Regulatory Flexibility Act

Pursuant to the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), it is hereby certified that the proposed regulations set forth in this document will not have a significant economic impact on a substantial number of small entities. Accordingly, this regulation is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

Drafting Information

The principal author of this document was Todd J. Schneider, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

List of Subjects in 19 CFR Part 177

Administrative practice and procedure, Customs duties and inspection, Imports, Internal Advice.

Proposed Amendments

It is proposed to revise § 177.11, Customs Regulations (19 CFR 177.11), to read as follows:

PART 177—ADMINISTRATIVE RULINGS

§ 177.11 Requests for advice by field offices.

(a) *Generally.* Advice or guidance as to the interpretation or proper application of the Customs and related laws with respect to a specific Customs transaction may be requested by Customs field offices from the Headquarters Office at any time, whether the transaction is prospective, current, or completed. In the absence of clear and definitive precedent, advice as to the proper application of the Customs and related laws to a current transaction will be sought by a field office as requested to do so, pursuant to paragraph (b) of this section, by an importer or other person having an interest in the transaction. Advice or guidance will be furnished by the Headquarters Office as a means of assisting Customs personnel in the orderly processing of Customs transactions under consideration by them and to insure the consistent application of the Customs and related laws. Requests for advice by the Headquarters Office will be processed as expeditiously as possible.

(b) *Certain current transactions*—(1) *When a ruling has been issued*—(i) *Requests by field offices.* If the Headquarters Office, or the Regional Commissioner, New York Region, has issued a ruling letter with respect to a particular Customs transaction and the field office having jurisdiction over that transaction believes that the ruling should be modified or revoked, the field office will forward to the Headquarters Office, pursuant to § 177.9(b)(1), a request that the ruling be reconsidered. The field office will notify the importer or other person to whom the ruling letter was issued, in writing, that it has requested the Headquarters Office to reconsider the ruling.

(ii) *Requests by importers and others.* If the importer or other person to whom a ruling letter is issued disagrees with the field office having jurisdiction over the transaction to which the ruling relates as to the proper application of the ruling to the transaction, and the field office agrees that the proper application of the ruling is unclear and is not governed by clear and definitive precedent, the field office will, upon receipt of a written request submitted in accordance with the procedure set forth in paragraph (b)(3) of this section, request advice from the Headquarters Office as to the proper application of the ruling to the transaction.

(2) *When no ruling has been issued.* Internal advice will be sought by a field office with respect to a current transaction for which no ruling was requested or issued under the provisions of this part whenever:

(i) A difference of opinion exists as to the interpretation or proper application of the Customs and related laws to the transaction;

(ii) The field office is requested to seek such advice by an importer or other person who would have been entitled (see § 177.1(c)); and

(iii) The field office determines that there is no precedent which is dispositive of the issue. The request must be submitted to the field office in writing and in accordance with the provisions of paragraph (b)(3) of this section.

(3) *Form of request by importers and others.* An importer or other person requesting that a field office seek advice from the Headquarters Office must furnish a written submission to the field office having jurisdiction over the transaction in question. The submission shall contain a complete statement setting forth a description of the transaction, the specific questions presented, the applicable law, and reasons for the conclusions advocated. The statement must also specify whether to the knowledge of the person submitting the statement, the same transaction, or one identical to it, has ever been considered, or is currently being considered, by any Customs office. In addition, the statement should indicate at which port or ports of entry identical or substantially identical merchandise has been entered. Unless otherwise permitted by Customs, all of the foregoing information relating to the request must be contained in a single submission provided to Customs within 30 days of the date of notification that internal advice will be requested. However, this period may be extended for an additional 30 days, one time only, upon request to the field office.

(4) *Review of requests by importers and others.* All requests submitted by importers and other persons under paragraph (b)(3) of this section, will be reviewed by the field office to which they are submitted. However, the field office may deny any request which it believes to be covered by clear and definitive precedent and for which a request for internal advice is therefore unnecessary or inappropriate. Any person wishing to contest such a denial may use the applicable provisions of the protest procedure set forth in Part 174 of this chapter. In the event a difference of opinion exists as to the description of the transaction or as to the points at issue, the person submitting the request will be so advised in writing. If agreement cannot be reached, both the statements of the person submitting the request and the field office will be forwarded to the Headquarters Office for consideration.

(5) *Refusal by Headquarters Office to furnish advice.* The Headquarters Office may refuse to consider the questions presented to it in the form of a request for internal advice whenever (i) the Headquarters Office determines that the period of time necessary to give adequate consideration to the questions presented would result in a withholding of action with respect to the transaction, or in any other situation, that is inconsistent with the sound administration of the Customs and related laws, and (ii) the questions presented can subsequently be raised by the importer or other interested party in the form of a protest filed in accordance with the provisions of Part 174 of this chapter.

(6) *Effect of advice received from the Headquarters Office.* Advice furnished by the Headquarters Office in response to a request therefore represents the official position of Customs as to the

application of the Customs laws to the facts of a specific transaction. If the field office believes that the advice furnished by the Headquarters Office should be reconsidered, it shall promptly request such reconsideration. Otherwise, the advice furnished by the Headquarters Office will be applied by the field office in its disposition of the Customs transaction in question. An importer desiring reconsideration of Headquarters advice should follow the applicable provisions of the protest procedure set forth in Part 174 of this chapter.

(6) *Effect of advice received from the Headquarters Office.* Advice furnished by the Headquarters Office in response to a request therefor represents the official position of Customs as to the application of the Customs laws to the facts of a specific transaction. If the field office believes that the advice furnished by the Headquarters Office should be reconsidered, it shall promptly request such reconsideration. Otherwise, the advice furnished by the Headquarters Office will be applied by the field office in its disposition of the Customs transaction in question. An importer desiring reconsideration of Headquarters advice should follow the applicable provisions of the protest procedure set forth in Part 174 of this chapter.

(7) *Publication.* Within 120 days after issuing an internal advice memorandum, Customs shall publish the decision in the Customs Bulletin or otherwise make it available for public inspection. Disclosure is governed by 31 CFR Part 1 and 19 CFR Part 103.

William von Raab,

Commmissioner of Customs.

Approved: February 24, 1984.

John M. Walker, Jr.,

Assistant Secretary of the Treasury.

[FR Doc. 84-6941 Filed 3-14-84; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 161

[Docket No. 83N-0350]

Quick-Frozen Fillets of Flat Fish; Termination of Consideration of the Codex Standard

AGENCY: Food and Drug Administration.

ACTION: Advance notice of proposed rulemaking; termination of consideration.

SUMMARY: The Food and Drug Administration (FDA) is terminating consideration of the establishment of a U.S. standard for quick-frozen fillets of flat fish based on the "Recommended International Standard for Quick-Frozen Fillets of Flat Fish" (Codex Standard No. CAC/RS 91-1976) because there is neither sufficient interest nor need to warrant proposing a U.S. standard for this food.

FOR FURTHER INFORMATION CONTACT: Johnnie G. Nichols, Bureau of Foods (HFF-215), Food and Drug Administration, 200 C St. SW., Washington, D.C. 20204, 202-485-0101.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of November 30, 1983 (48 FR 54074), FDA published an advance notice of proposed rulemaking which offered interested persons an opportunity to review the Codex standard and to comment on the desirability of, and need for, a U.S. standard of identity for quick-frozen fillets of flat fish. The Codex standard was submitted to the United States for consideration of acceptance by the Food and Agriculture Organization/World Health Organization's Codex Alimentarius Commission.

No comments were received in response to the advance notice of proposed rulemaking. FDA believes that there is neither sufficient interest nor need to warrant proposing a U.S. standard at this time for quick-frozen fillets of flat fish under the authority of section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341).

Therefore, under the procedures in 21 CFR 130.6, notice is given that the Commissioner of Food and Drugs has terminated consideration of developing a U.S. standard for quick-frozen fillets of flat fish based on the Codex standard. This action is without prejudice to further consideration of the development of a U.S. standard for quick-frozen fillets of flat fish upon appropriate justification.

FDA will inform the Codex Alimentarius Commission that an imported food which complies with the requirements of the Codex standard may move freely in interstate commerce in this country, providing it complies with applicable U.S. laws and regulations.

Dated: March 8, 1984.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 84-6913 Filed 3-14-84; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 161

[Docket No. 83N-0349]

Quick-Frozen Fillets of Ocean Perch; Termination of Consideration of the Codex Standard

AGENCY: Food and Drug Administration.

ACTION: Advance notice of proposed rulemaking; termination of consideration.

SUMMARY: The Food and Drug Administration (FDA) is terminating consideration of the establishment of a U.S. standard for quick-frozen fillets of ocean perch based on the "Recommended International Standard for Quick-Frozen Fillets of Ocean Perch" (Codex Standard No. CAC/RS 51-1971) because there is neither sufficient interest nor need to warrant proposing a U.S. standard for this food.

FOR FURTHER INFORMATION CONTACT: Johnnie G. Nichols, Bureau of Foods (HFF-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-485-0101.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of November 28, 1983 (48 FR 53576), FDA published an advance notice of proposed rulemaking which offered interested persons an opportunity to review the Codex standard and to comment on the desirability of, and need for, a U.S. standard of identity for quick-frozen fillets of ocean perch. The Codex standard was submitted to the United States for consideration of acceptance by the Food and Agriculture Organization/World Health Organization's Codex Alimentarius Commission.

No comments were received in response to the advance notice of proposed rulemaking. FDA believes that there is neither sufficient interest nor need to warrant proposing a U.S. standard at this time for quick-frozen fillets of ocean perch under the authority of section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341).

Therefore, under the procedures in 21 CFR 130.6, notice is given that the Commissioner of Food and Drugs has terminated consideration of developing a U.S. standard for quick-frozen fillets of ocean perch based on the Codex standard. This action is without prejudice to further consideration of the development of a U.S. standard for quick-frozen fillets of ocean perch upon appropriate justification.

FDA will inform the Codex Alimentarius Commission that an imported food which complies with the

requirements of the Codex standard may move freely in interstate commerce in this country, providing it complies with applicable U.S. laws and regulations.

Dated: March 8, 1984.

William F. Randolph,

Acting Associate Commission for Regulatory Affairs.

[FR Doc. 84-6914 Filed 3-14-84; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 55, 56, 57, and 58

Safety Standards for Machinery and Equipment at Metal and Nonmetal Mines

Correction

In FR Doc. 84-5969, beginning on page 8375 in the issue of Tuesday, March 6, 1984, make the following corrections:

1. On page 8381, first column, the eighth and ninth lines of figures in the last column of the Derivation Table should be moved up and aligned with the entries "58.14-8" and "Deleted", respectively, in the third column of the table. Also the sixteenth and seventeenth lines of figures in the last column of the table should be moved up and aligned with the entries "58.14-28" and "Deleted", respectively, in the third column of the table.

2. On page 8383, first column, the third word in the third line of § 58.14106(G) should read "equipped".

3. Also on page 8383, second column, the word "second" should be removed from the end of the next to last line of § 58.14201(G).

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD3 83-067]

Drawbridge Operation Regulations; South River, New Jersey

AGENCY: Coast Guard, DOT.

ACTION: Proposed Rule.

SUMMARY: At the request of Consolidated Rail Corporation (Conrail), the Coast Guard is considering a change to the regulations governing operation of the Conrail drawbridge across South River at South River, NJ. It is being proposed that at least four hours notice be required for an opening on weekdays (excluding holidays) from 1 November through April 14, with the bridge being left in the open position (except for trains) at all other times. This proposal is being made because of limited openings from November through April 14. This action should relieve the bridge owner of the burden of having a person constantly available to open the draw and should still provide for the reasonable needs of navigation. The proposed action is an alternate to a previous proposal that was rejected because of overwhelming opposition.

DATE: Comments must be received on or before April 30, 1984.

ADDRESS: Comments should be submitted to and are available for examination from 9 a.m. to 3 p.m., Monday through Friday, except holidays, at the office of the Commander (oan-br), Third Coast Guard District, Bldg 135A, Governors Island, NY 10004. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: William C. Heming, Bridge Administrator, Third Coast Guard District (212) 668-7994.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their name and address, identify the bridge, and give reasons for concurrence with or for any recommended change in the proposal. Persons desiring acknowledgment that their comments have been received should enclose a stamped, self-addressed postcard or envelope.

The Commander, Third Coast Guard District will evaluate all communications received and will determine a final course of action on this proposal. The proposed regulations may be changed in light of comments received.

Drafting Information

The drafters of this notice are Ernest J. Feemster, project manager, and Mary Ann Arisman, project attorney.

Discussion of Proposed Regulations

The Coast Guard published a proposal in the **Federal Register** on April 21, 1983 (48 FR 17117) that would restrict opening of the draw of the Conrail bridge across South River between November 1 and May 31 each year. Many objections were received to this proposal because it was deemed too restrictive by mariners operating on the waterway. The proposal was therefore withdrawn on November 17, 1983 (48 FR 52334). CONRAIL subsequently submitted a revised proposal that attempts to respond to objections to the previous proposed rule. This revised proposal shortens the required advance notice from 12 to 4 hours during the winter months, and expands the period that the draw will be left in the open position. This new proposal provides for the draw being left in the open position (except for passage of a train) from April 15 through October 31. No draft economic evaluation has been done because of expected minimal impacts on affected persons. This is because South River is primarily a recreational waterway with minimal usage of the bridge by rail traffic.

Certain editorial changes are planned (to existing regulations) for simplification and clarification with no substantive change. Paragraph 117.210(a) is to be revised to incorporate provisions previously included in paragraph (f) and these proposed regulations for Conrail's South River drawbridge will be added as a new paragraph (f).

Economic Assessment and Certification

These proposed regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. In addition, these proposed regulations are considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5-22-80). As explained above, an economic evaluation has not been conducted since its impact is expected to be minimal. In accordance with § 605(b) of the Regulatory Flexibility Act (5 U.S.C. 605(b)), it is certified that these rules, if promulgated, would not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations, by revising § 117.210(a) and (f) to read as follows:

§ 117.210 Raritan River and Arthur Kill, and their navigable tributaries; bridges.

(a) All drawbridges spanning Raritan River and Arthur Kill, and their

navigable tributaries shall be opened promptly on signal, except as prescribed below. The draws shall open at all times as soon as possible for passage of a public vessel of the United States upon sounding four blasts on the whistle or horn, or upon notification by radiotelephone.

* * * * *

(f) South River. The draw of the CONRAIL bridge, mile 2.8 at South River, NJ shall open on weekdays (exclusive of holidays) from November 1 through April 14 if at least four hours notice is given. From April 15 through October 31, and November 1 through April 14 on weekends and holidays, the draw shall be maintained open to navigation except for closure to accommodate passage of a train.

* * * * *

(33 U.S.C. 499; 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5); 33 CFR 1.05-1(g)(3))

Dated: March 2, 1984.

W. E. Caldwell,

Vice Admiral, U.S. Coast Guard, Commander, Third Coast Guard District.

[FR Doc. 84-6946 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-14-M

---

33 CFR Part 117

[CGD 1-84-1]

Drawbridge Operation Regulations; Danvers River, Massachusetts

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of local businessmen, the Coast Guard is considering amending the regulations for the Route 1A bridge over the Danvers River, between Salem and Beverly, to limit the opening of the drawspan from June 1 through October 31. The amended regulations will provide more uniform vehicular traffic movement between Salem and Beverly, and may still provide for the reasonable needs of navigation.

DATE: Comments must be received on or before April 30, 1984.

ADDRESS: Comments should be submitted to and will be available for examination between 8:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, at the Office of the Commander (obr), First Coast Guard District, 150 Causeway Street, Boston, Massachusetts 02114.

FOR FURTHER INFORMATION CONTACT: William J. Naulty, Chief, Bridge Branch, First Coast Guard District, Boston, MA, 02114 (617-223-0645).

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, comments, data or arguments. Persons submitting comments should include their name and address, identify the bridge and give reasons for concurrence with or any recommended change in the proposal.

The Commander, First Coast Guard District, will evaluate all comments received and decide on a course of final action on this proposal. The proposed regulations may be changed in light of comments received.

Drafting Information

The principal persons involved in drafting this proposal are: William J. Naulty, Chief Bridge Branch, First Coast Guard District; and Lieutenant Commander Robert F. Duncan, Project Attorney, Assistant Legal Officer, First Coast Guard District.

Discussion of the Proposed Regulations

At a meeting in Salem in June 1983 businessmen from the Salem-Beverly area discussed the traffic problems which result when the draw span on the Route 1A bridge is open during the summer months. The discussion revealed that the problems are compounded when there are multiple openings of the draw span during certain hours of the day. The general consensus was that the worst problems occurred during the period centered on the noon hour.

The bridge is an integral part of the main traffic route through the Salem-Beverly area. The route divides the area, and traffic from the local street network must use the roadway to enter or leave the area. Consequently, a backup of vehicles on the roadway actually impacts a large part of the movement of vehicular traffic in the surrounding area.

On 22 July 1983, the District Commander instituted a trial closure period of two and a half hours, from 11:30 a.m. to 2:00 p.m. The change resulted in immediate improvement in the vehicular traffic during this period. However, the boating community expressed opposition to the long noontime closure. Based on this concerned user feedback, a public meeting was advertised and held on 2 September 1983 in Salem to solicit comments from the interested public and to tailor a response to the perceived need. In consideration of the comments received on and before that occasion, the trial closure was reduced to one and a half hours, from 11:30 a.m. to 1:00 p.m. The trial period ended 31 October 1983.

Based on this experience, a draft proposal to amend the existing regulations of the bridge was prepared and interested public comment was solicited thereon in Coast Guard Public Notice 01-01-84 on 17 January 1984, with a view towards early revision preparatory to publishing a notice of proposed rulemaking. A variety of comments were received. Three comments were received from vehicular interests seeking more stringent closing times for the bridge. Numerous responses were received from recreational boating interests and commercial lobster fishermen, the majority of which voiced opposition to a proposed fifteen minute hourly opening portion of the draft proposal. The comments cited interference with boating activity and safety with the boating public as reasons for the objection. In response to these comments received, the preliminary proposal which would have limited bridge openings during specific peak periods of vehicular traffic to fifteen minute periods each hour has been deleted from the Proposed Rule. The Proposed Rule is expected to provide ample vehicular movement during the summer months and to also provide for the reasonable needs of navigation.

The economic impact of these regulations is expected to be minimal assuming that current commercial and recreational use of the river above the bridge continues, as expected and projected, at current levels.

Economic Assessment and Certification

These proposed regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. In addition, these proposed regulations are considered to be nonsignificant in accordance with guidelines set out in Policies and Procedures for Simplification, Analysis and Review of Regulations (DOT Order 2100.5 of 5-22-80). As explained above, an economic evaluation has not been conducted since its impact is expected to be minimal. In accordance with § 605(b) of the Regulatory Flexibility Act (5 U.S.C. § 605(b)), it is certified that these rules, if promulgated, would not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

PART 117—[AMENDED]

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 117 of Title 33 Code of Federal Regulations as follows:

Section 117.65 is amended by revising paragraphs (b) and (c) to read as follows:

§ 117.65 Danvers River, Mass.; Bridges (highway and railroad).

* * * * *

(b) The draw of each bridge shall be opened promptly on signal except that:

(1) From midnight to 8:00 a.m., the draws shall open on signal provided that advance notice has been given to the draw tenders.

(2) From June 1 through October 31 the draw of the Route 1A bridge will not be opened between 11:30 a.m. and 1:00 p.m.

(c) Advance notice may be given in person, in writing, or by telephone to the draw tenders either at the bridges during the time the operators are on duty or at their residences thereafter, except that in case of emergency, the draw shall be opened promptly upon notification. For this purpose, the bridge owners shall install and maintain telephones at the bridges and provide arrangements whereby the draw tenders can be reached by telephone or otherwise at any hour of the day or night, and notice of such arrangements shall be conspicuously posted on the bridges.

* * * * *

(33 U.S.C. 499; 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5); 33 CFR 1.05-1(g)(3))

Dated: March 5, 1984.

R. A. Bauman,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 84-6943 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 10

Proposed International Express Mail Service to Ireland

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: Pursuant to agreements with the postal adminstration of Ireland the Postal Service proposes to begin International Express Mail Service with Ireland at postage rates indicated in the tables below. The proposed services are scheduled to begin on May 19, 1984.

DATE: Comments must be received on or before April 14, 1984.

FOR FURTHER INFORMATION CONTACT: Leon W. Perlinn (202) 245-4414.

ADDRESS: Written comments should be directed to the General Manager, Rate Development Division, Office of Rates, Rates and Classification Department, U.S. Postal Service, Washington, DC 20260-5350. Copies of all written comments will be available for public inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday, in room 8620, 475 L'Enfant Plaza West SW., Washington, DC 20260-5350.

SUPPLEMENTARY INFORMATION: The International Mail Manual is incorporated by reference in the Code of Federal Regulations, 39 CFR 10.1. Additions to the manual concerning the proposed new service, including the rate tables reproduced below, will be made in due course. Accordingly, although 39 U.S.C. 407 does not require advance notice and the opportunity for submission of comments on international service, and the provisions of the Administrative Procedure Act regarding proposed rulemaking (5 U.S.C. 553) do not apply (39 U.S.C. 410(a)), the Postal Service invites interested persons to submit written data, views or arguments concerning the proposed International Express Mail Service to Ireland at the rates indicated in the tables below.

List of Subjects in 39 CFR Part 10

Postal Service, Foreign relations.

IRELAND—INTERNATIONAL EXPRESS MAIL

Custom designed service [1] [2]		On demand service [2]	
Weight not over (pounds)	Rate	Weight not over (pounds)	Rate
1	27.00	1	$19.00
2	29.90	2	21.90
3	32.80	3	24.80
4	35.70	4	27.70
5	38.60	5	30.60
6	41.50	6	33.50
7	44.40	7	36.40
8	47.30	8	39.30
9	50.20	9	42.20
10	53.10	10	45.10
11	56.00	11	48.00
12	58.90	12	50.90
13	61.80	13	53.80
14	64.70	14	56.70
15	67.60	15	59.60
16	70.50	16	62.50
17	73.40	17	65.40
18	76.30	18	68.30
19	79.20	19	71.20
20	82.10	20	74.10
21	85.00	21	77.00
22	87.90	22	79.90
23	90.80	23	82.80
24	93.70	24	85.70
25	96.60	25	88.60
26	99.50	26	91.50
27	102.40	27	94.40
28	105.30	28	97.30
29	108.20	29	100.20
30	111.10	30	103.10
31	114.00	31	106.00
32	116.90	32	108.90
33	119.80	33	111.80
34	122.70	34	114.70
35	125.60	35	117.60
36	128.50	36	120.50
37	131.40	37	123.40
38	134.30	38	126.30
39	137.20	39	129.20
40	140.10	40	132.10
41	143.00	41	135.00
42	145.90	42	137.90
43	148.80	43	140.80
44	151.70	44	143.70

[1] Rates in this table are applicable to each piece of International Custom Designed Express Mail shipped under a Service Agreement providing for tender by the customer at a designated Post Office.

[2] Pickup is available under a Service Agreement for an added charge of $5.60 for each pickup stop, regardless of the number of pieces picked up. Domestic and International Express Mail picked up together under the same Service Agreement incurs only one pickup charge.

An appropriate amendment to 39 CFR 10.3 to reflect these changes will be published when the final rule is adopted.

(39 U.S.C. 401, 404, 407)

W. Allen Sanders,

Associate General Counsel, Office of General Law and Administration.

[FR Doc. 84-7001 Filed 3-14-84; 8:45 am]

BILLING CODE 7710-12-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 3100 and 3110

Noncompetitive Leases; Amendment to Simultaneous Oil and Gas Leasing Program

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed Rulemaking.

SUMMARY: The changes that would be made by this proposed rulemaking will improve the simultaneous oil and gas leasing system by incorporating changes that would correct problems that surfaced last year that led to a suspension of the simultaneous oil and gas leasing program. The changes should reduce the amount of speculation presently associated with the program.

DATE: Comments should be submitted by April 16, 1984. Comments received or postmarked after the above date may not be considered as part of the decisionmaking process on the issuance of a final rulemaking.

ADDRESS: Comments should be sent to: Director (140), Bureau of Land Management, 1800 C Street, NW., Washington, D.C. 20240.

Comments will be available for public review in Room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Valliere Cacy, (202) 653-2182

or

Robert C. Bruce, (202) 343-8735

SUPPLEMENTARY INFORMATION: The proposed rulemaking would institute improvements ordered by the Secretary of the Interior in the simultaneous oil and gas leasing program. The changes resulted from a general review of the program that took place during the most recent suspension of the program. In

order to reduce the excessively speculative nature of the program, the proposed rulemaking would require that an applicant submit the first year's rental with the application and nonrefundable filing fee. Changes would also be made to bring affected sections of the existing regulations into conformance with the change in the requirement for payment of the full amount of the first year's rental, including a provision that would exclude from the pending drawing any application that is accompanied by an insufficient filing fee or insufficient rental payment.

Two additional changes would also be made by the proposed rulemaking. The first change would remove the mandatory requirement that each Part B application be dated at the time of filing. This change would bring the regulations into conformance with court decisions that have held that while the Secretary of the Interior can require a signature date, he cannot make its absence a per se disqualification. The second change would require that a separate check be submitted with each Part B application, rather than one check with each group of applications. The Bureau of Land Management's experience in the operation of the simultaneous oil and gas leasing program has been that a mistake of a few dollars in the remittance submitted with a large group of applications has resulted in the disqualification of inordinately large numbers of applications. While this change might inconvenience a few applicants, it should reduce the number of applications that are disqualified for each drawing, increasing the total number of acceptable applications.

The principal author of this proposed rulemaking is Valliere Cacy, Division of Fluid Mineral Leasing, assisted by the staff of the Office of Legislation and Regulatory Management, Bureau of Land Management.

It is hereby determined that this rulemaking does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and could have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

Four categories of small entities will be directly affected by this proposed rulemaking: oil and gas exploration and development entities; land holding entities which acquire Federal oil and gas leases for resale to exploration and development entities; speculators who file independently; and filing services which promote participation in the simultaneous oil and gas leasing program and assist participants in selecting parcels and making filings.

The proposed rulemaking is not expected to significantly affect the absolute number of filings by either exploration and development entities or land holding entities. The expected drop in the number of applications filed by casual speculators decreases the probability of loss of the $75 application fee and increases the probability of selection for those entities whose primary interest is the development of oil and gas on the public lands.

It is likely that two thirds of any reduction in filings resulting from the adoption of the proposed rulemaking will be attributable to a reduction in the number of applications filed by clients of filing services. The precise economic effect of the proposed rulemaking on filing services cannot be determined. No income data is available for filing services as a group. Fees charged by filing services vary widely and cannot be ascertained with certainty. Information regarding fees charged by filing services is sought to assist in the preparation of the final regulatory flexibility analysis, which will be made available upon the publication of the final rulemaking. In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the initial analysis of the impact of the proposed rulemaking on small entities is contained in a determination of effects which is available from the address set out above upon request.

The changes made by this proposed rulemaking will reduce the number of applications filed by those whose sole interest in the simultaneous oil and gas leasing program is speculative and increase the opportunity for success to those individuals whose main objective is development of the potential oil or gas resource. The change requires that the first year's rental be paid in full at the time the application is filed, rather than within 30 days after the lease is offered. The amount of money paid the United States is the same, but will now have to be paid in advance.

This proposed rulemaking contains no additional information collection requirement requiring approval by the Office of Management and Budget under 44 U.S.C. 3501 et seq.

List of Subjects

43 CFR Part 3100

Administrative practice and procedure, Environmental protection, Mineral royalties, Oil and gas reserves, Public lands—classification, Public lands—mineral resources, Surety bonds.

43 CFR Part 3110

Administrative practice and procedures, Mineral royalties, Oil and gas exploration, Oil and gas reserves, Public lands—mineral resources.

Under the authority of the Mineral Leasing Act of 1920, as amended and supplemented, (30 U.S.C. 181 et seq.), the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351–359), the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 760 et seq.), the Act of May 21, 1930 (30 U.S.C. 301—306), the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97–35), the Independent Offices Appropriations Act of 1952 (31 U.S.C. 483a), the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.), and the Attorney General's Opinion of April 2, 1941 (40 Op. Atty. Gen 41), it is proposed to amend Parts 3100 and 3110 of Group 3100, Subchapter C, Chapter II of Title 43 of the Code of Federal Regulations as set forth below:

§ 3102.4 [Amended]

1. Section 3102.4 is amended by removing the period at the end of the first sentence and inserting the phrase ", except that applications filed under Subpart 3112 of this title shall not be deemed unacceptable for the failure to be dated.

2. Section 3103.1–1 is revised to read:

§ 3103.1–1 Form of remittance.

All remittances shall be by U.S. currency, postal money order or negotiable instrument payable in U.S. currency.

3. Section 3103.2–1(a) is revised to read:

§ 3103.2–1 Rental requirements.

(a) Each offer filed under subpart 3111 of this title and each application filed under subpart 3112 of this title shall be accompanied by full payment of the first year's rental based on the total acreage, if known, and, if not known, on the basis of 40 acres for each smallest legal subdivision. However, offers filed under subpart 3111 of this title, deficient in the first year's rental by not more than 10

percent or $200, whichever is less, shall be accepted by the authorized officer provided all other requirements are met. Rental submitted for offers shall be determined based on the total amount remitted less all required fees. Any additional rental shall be paid within 30 days from notice of the deficiency under penalty of cancelation of the lease.

4. Section 3112.1–3 is revised to read:

§ 3112.1–3 Posting of parcel list notice.

At the start of business on the first working day of February, April, June, August, October and December, a list of lands for which applications will be received shall be posted in the proper BLM office. Any change in the bi-monthly schedule of offerings shall be announced by publication in the **Federal Register** at least 30 days in advance of the date of posting. Copies of the posted notice may be purchased from the proper BLM office.

§ 3112.2–1 [Amended]

5. Section 3112.2–1 is amended by:

A. Revising paragraph (c) to read:

"(c) The application shall be signed and dated in accordance with § 3102.4 of this title. If signed by someone other than the applicant, the application shall show the relationship of the signatory to the applicant."; and

B. Amending paragraph (g) by removing the phrase ", dated".

6. Section 3112.2–2 is revised to read:

§ 3112.2–2 Filing fees and rentals.

Each Part B application form filing shall be accompanied by a non-refundable filing fee of $75 and the first year's rental for each parcel. Failure to submit either a separate remittance for each Part B application form or an amount sufficient to cover all the parcels in a filing, or both, shall cause the entire filing to be deemed unacceptable.

§ 3112.3 [Amended]

7. Section 3112.3 is amended by:

A. Amending paragraph (c) by removing the phrase "an unacceptable remittance" and replacing it with the phrase "a remittance not meeting the requirements of § 3103.1–1 of this title"; and

B. Amending paragraph (h) by inserting after the phrase "the filing fee" the phrase ", the first year's rental".

Garrey E. Carruthers,

Secretary of the Interior.

[FR Doc. 84–7045 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–84–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PR Docket No. 84–232; FCC 84–63]

Future Public Safety Telecommunications Requirements

AGENCY: Federal Communications Commission.

ACTION: Notice of inquiry.

SUMMARY: The Commission has adopted a Notice of Inquiry in the matter of public safety telecommunications requirements. The Inquiry solicits information from the public and public safety users that will enable the Commission to determine the current and future telecommunications needs of public safety authorities.

DATES: Comments are due by May 15, 1984 and replies by June 15, 1984.

ADDRESS: Federal Communications Commission, 1919 M Street, NW., Washington DC 20554.

FOR FURTHER INFORMATION CONTACT: Rose Crellin or Larry Reed, Private Radio Bureau, Planning Staff, (202) 254–3301.

List of Subjects in Part 90

Radio.

Notice of Inquiry

In the matter of future public safety telecommunications requirements. (PR Docket No. 84–232).

Adopted: March 1, 1984.
Released: March 7, 1984.
By the Commission.

1. The purpose of this proceeding is to solicit public comment to enable the Commission to develop a plan which ensures that the present and future spectrum requirements of state and local public safety authorities are accommodated in allocations of the electromagnetic spectrum. As a first step, we need further information as to the present and future land mobile [1] telecommunications requirements of public safety authorities. Specifically, we wish to know what problems exist with existing public safety communications systems, what kind of growth in these systems is anticipated, what new applications of radio are foreseen, what new operations configurations can be expected to result in requirements for additional communications capacity, and how interested parties feel these needs can best be met. Although this Inquiry is concerned primarily with the communications requirements of public safety users, we would emphasize that the balancing of spectrum needs of all communications users is a continuing goal of the Commission.

2. In order that interested parties will clearly understand the intended scope of this proceeding, we think it may be useful to provide some background on the present structure of our regulatory approach to the public safety radio services. The Public Safety Radio Services are a part of the Private Land Mobile Radio Services regulated under Part 90 of the Rules. 47 CFR 90.1 *et seq.* They consist of five separate radio services dedicated to the safeguarding of life and property. These services are: Local Government, Police, Fire, Highway Maintenance and Forestry-Conservation. The Local Government Radio Service includes radio operations involved in all aspects of local government operations. Licensees include territories, possessions, states, counties, cities, towns and certain types of districts and authorities. Activities include law enforcement, fire fighting, emergency medical and disaster response, highway maintenance, rescue services, flood control, soil conservation, publicly-owned utilities, sewage or garbage collection, and other activities of local governments. In the Police Radio Service, law enforcement officials use radio on a municipal, county, state and nationwide basis for every aspect of law enforcement. Likewise, in the Fire Radio Service, firefighting officials use radio for municipal, county, state and regional fire protection activities. Users of the Highway Maintenance Radio Service include state, county and city governmental entities engaged in the repair and maintenance of bridges and highways and in traffic control. The Forestry-Conservation Radio Service channels are used by local governmental branches involved in forest fire control, flood control, fish and game law enforcement and management, forest research and education, and other conservation activities.

3. The Special Emergency Radio Service differs from the Public Safety Radio Services in that it is not divided by eligibility categories but is used by various individuals and entities as well as local government agencies for a great variety of activities. The Special Emergency Radio Service includes use of radio by hospitals, clinics, physicians, rescue organizations, medical service agencies, veterinarians, handicapped

[1] Land mobile radio is a term used to describe both voice and non-voice communication between a radio unit at a fixed place and a mobile unit, or between two or more mobile units.

persons, disaster relief organizations, school buses, beach patrols, certain establishments located in isolated areas, and entities involved in the emergency repair of public communication facilities. The Special Emergency Radio Service is also used for communications standby facilities in the event that normal communications are disrupted.

4. These activities are inherently mobile and are for the overall benefit of the general public. Because of the similarities in operation and needs of the Public Safety Radio Services and the Special Emergency Radio Service, they are both included in this Inquiry under the general term public safety authorities.

5. The importance of these radio services to our national well-being is self-evident. In its statement clarifying the provisions of the Communications Amendments Act of 1982, Congress addressed these services stating:

> The Communications Act of 1934 contains no guidelines for the FCC to follow in managing the spectrum to be available to the private land mobile services other than its broad statutory authority to promote the public interest convenience and necessity. The Conferees believe such guidelines are necessary since these services have a direct and substantial impact on the public welfare and the economy * * *.
>
> The Commission should be ever vigilant to promote the private land mobile spectrum needs of police departments and other public safety agencies which need to use such radio services to fulfill adequately their obligations to protect the American public. The Conferees are particularly concerned about radio services which are necessary for the safety of life and property and urges the Commission to carefully consider the legitimate needs of public safety agencies in managing the private land mobile spectrum.[2]

In a similar vein, the Congress's directive to the Commission in the 1983 Authorization Bill "to establish a plan which adequately ensures that the needs of State and local public safety authorities would be taken into account in making allocations of the electromagnetic spectrum" is a clear recognition of the importance of these radio uses to our national well being.

6. Moreover, the growth in the use of land mobile radio by public safety authorities has burgeoned over the past 10 years. From 1971 to 1981, the number of public safety stations grew at an average annual rate of 10.6%. In these years, the Local Government Radio Service has been growing at a faster rate than other public safety services (12.7%). Indeed, in some major urban areas such as Los Angeles, frequencies for new public safety stations do not exist. In other areas, shortages are projected to occur before the turn of the century unless we take steps now to assure public safety needs will be met.

7. Historically, the Commission has attempted to meet the requirements of the public safety services in a variety of ways, including the allocation of channels to public safety in the 25–50 MHz, 150–174 MHz and 450–470 MHz bands and the allocation of specific channels for public safety use in the 470–512 MHz and 806–947 MHz bands.[3] However, the time has come to reexamine the communications needs of public safety entities and the efficacy of our existing spectrum management policies to meet those needs. Virtually all the radio services we regulate have experienced signficant growth in the past decade. The allocation of a block of spectrum exclusively to one particular use, even one as important as public safety, precludes other potentially valuable uses of that allocation. It is our intention, as a result of this proceeding and consistent with our goal of balancing the needs of all spectrum users, to determine the measures necessary to ensure that the needs of public safety users are adequately met. Important components of this proceeding will be determinations of how technological and regulatory changes will affect the present and future ways in which public safety authorities use radio communications.

8. Several events suggest that current spectrum allocated for public safety telecommunications needs may not be adequate for the long term: (1) The Private Radio Bureau recently released a report in September 1983 entitled *Future Private Land Mobile Telecommunications Requirements*[4] in which substantial land mobile spectrum shortages and a continued increase in public safety stations were projected; (2) on September 1, 1981, a petition was filed by the Los Angeles County Sheriff's Department (amended, November 4, 1983) requesting that the Commission provide additional frequencies for public safety use due to currently existing spectrum shortages in some areas of the country; (3) the Authorization bill for the Commission for Fiscal Years 1984 and 1985 (Pub. L. 98–214) amends the Communications Act to provide for expenditure of funds during those years by the Commission to establish a plan to ensure that the needs of public safety entities will be accommodated in the Commission's spectrum allocation proceedings; and (4) most recently, several broadcast entities have submitted a petition for rulemaking proposing to mandate significant changes in the use of existing spectrum allocated to public safety agencies. Each of these is discussed briefly below.

9. In *Future Private Land Mobile Telecommunications Requirements*, the Private Radio Bureau staff reviewed the growth in land mobile radio usage over the past 20 years and projected spectrum requirements of the private land mobile radio services to the year 2000. the report concluded that additional spectrum in major urban areas is needed in the future to meet private land mobile requirements, including public safety needs. The staff reached this conlcusion even after assuming substantial increases in the employment of more spectrum efficient technologies and equipment.

10. The recently released 70 channels at 800 MHz reserved for public safety use have all been assigned in the Los Angeles area so that there are now no frequencies available to be assigned to public safety entities. The comments received by the Commission in response to initiating the future land mobile requirements study and those submitted in support of the Los Angeles Sheriff's petition discussed below support the view that public safety spectrum shortages may be significant in the future. The future requirements report projects land mobile spectrum shortfalls in the larger urban areas. It further indicates that, without some provision for their needs, the public safety services can be expected to suffer adversely from a general unavailability of land mobile spectrum.

11. The Los Angeles County Sheriff's Department's amended Petition for Rulemaking (RM–3975) reports excessive channel waiting times in Los Angeles of up to 86 seconds during average busy periods and over 4 minutes during peak periods [5] and cites results of a nationwide survey conducted by the International Association of Chiefs of Police which indicated that 55% of the respondents required additional frequencies immediately and that 79% would have such requirements within 20 years.[6] The

[2] Joint Explanatory Statement of the Committee of Conference at Subsection 331(a).

[3] See, respectively, *Second Report and Order*, Docket 13847, FCC 68–128, 33 FR 3114, (February 17, 1968); *First Report and Order*, Docket 18261, 23 FCC 2d 325 (1970); and *Second Report and Order*, PR Docket No. 79–191, 90 FCC 2d 1281 (1982).

[4] *Future Private Land Mobile Telecommunications Requirements*, Federal Communications Commission, Private Radio Bureau, Planning Staff, August 1983.

[5] *Supplement to Petition for Rule Making*, Los Angeles County Sheriff's Department, November 3, 1983, p. 9.

[6] *Ibid.*, p. 13.

Sheriff's Department has requested that the Commission:

(1) Amend its rules governing the mass media services to adopt more efficient spectrum utilization techniques, including changes in the existing UHF-TV taboos, to create additional UHF television channels throughout the United States.

(2) "Grandfather" all existing full-power UHF-TV stations under the rules which now exist to avoid unnecessary disruption of television service.

(3) Allocate a sufficient number of presently unused and the newly created UHF channels to the private land mobile radio services on a primary basis, with secondary broadcast use allowed.

(4) Preserve at least two contiguous or proximate presently unused or newly available UHF-TV channels (12 MHz) below Channel 21 in the largest 20 metropolitan areas for public safety land mobile use on a primary basis, with provision for similar reservations in other areas based on need. Pending activation for public safety use, these channels would be available for other land mobile use.

(5) Immediately assign UHF-TV Channel 19 for public safety use in the Los Angeles area to satisfy current critical requirements at the conclusion of the 1984 Olympics.

12. On December 8, 1983, the U.S. Congress enacted Section 9 to the fiscal year 1984-85 Authorization bill for the Commission, amending the Communications Act to include a provision related to the needs of the public safety services. That Section provides:

> Sec. 9. (a) Funds authorized to be appropriated under section 2 of this Act shall be used by the Federal Communications Commission to establish a plan which adequately ensures that the needs of State and local public safety authorities would be taken into account in making allocations of the electromagnetic spectrum. In establishing such a plan the Commission shall: (1) Review the current and future needs of such public safety authorities in light of suitable and commercially available equipment and (2) consider the need for a nationwide contiguous frequency allocation for public safety purposes.
>
> (b) Pending adoption of a plan, the Commission, while making assignments and allocations, shall duly recognize the needs of State and local public safety authorities.

13. On December 27, 1983, the Commission received a petition from several broadcast entities which asks that the Commission initiate a rulemaking to solve the spectrum requirements of public safety agencies without spectrum reallocation.[7] The petition urges the Commission to mandate the use of amplitude compandored single side band (ACSB) and computer controlled trunking techniques in the 150 MHz band, order consolidation of police communications in that band, and order sharing of frequencies by public safety agencies within regional Districts.

14. The issuance of this Notice of Inquiry is the Commission's initial step towards meeting the requirement of section 9(a) of the Authorization Act. Other requirements of section 9 will be addressed by the Commission as it proceeds to establish a plan to ensure that public safety needs are taken into account in spectrum allocation matters.

Areas of Inquiry

15. The Commission, therefore, is seeking comments on the following questions:

Telecommunications Requirements

1. In light of operational experience, what will the mobile telecommunications requirements for public safety entities over the next 16 years be? What areas of the Public Safety Radio Services or the Special Emergency Radio Service are presently most in need of additional communications capacity? What areas or service categories will have the greatest needs in the future? Commentors are specifically requested to include the factual information which supports their conclusion.

2. Are certain geographic areas more likely than others to need additional telecommunications capacity between now and the end of this century? If so, specify the areas of greater need.

3. What new public safety communication applications are foreseen over the next 16 years? How will these impact the need for telecommunications capacity and capability?

4. What proportion of public safety communications requirements are for emergency and non-emergency purposes? What is the anticipated growth in requirements for each? Are there differences in how these requirements can be met? What are the interrelationships between emergency and non-emergency public safety uses?

[7] Association of Maximum Service Telecasters, Inc., the National Association of Broadcasters, the Association of Independent Television Stations, Inc., the National Association of Public Television Stations, the Corporation for Public Broadcasting Company and the National Broadcasting Company, *Joint Petition for Rule Making*, filed December 27, 1983.

Spectrum Availability/Suitability

1. What are the advantages/disadvantages of each of the following frequency bands for public safety use? Which is the most desirable for public safety operations? Does the choice depend on the particular application, location (urban, rural or wide-area) or the costs or availability of radio equipment? Have any bands proven undesirable or only marginally desirable? If so, which and why?

(a) 30–50 MHz
(b) 150–170 MHz
(c) 450–470 MHz
(d) 470–512
(e) 806–947
(f) Above 1 GHz

2. Is there a need for a nationwide contiguous frequency allocation for public safety purposes? Why? In what frequency band(s) should it be accommodated? Would regional contiguous frequency allocations meet the same need?

Technical

1. What is the utility of the following technologies to increase the capacity of existing public safety frequency assignments:

A. Narrowband, including narrowband FM, compandored single sideband, and narrowband digital voice.
B. Digital dispatch.
C. Packet radio.
D. Trunking, including call prioritization capability.
E. Wideband time division multiple access.
F. Frequency reuse with cells.
G. Satellite.
H. Phoneme synthesis.
I. Adaptive antennas.

Commentors are requested to specifically address equipment availability, cost impact, compatibility with existing systems, and reliability.

2. Are you aware of or do you envision any other technology now in the planning, experimental or developmental stage which would permit expansion of existing communications systems in presently assigned radio spectrum? Which technologies and what is expected from them?

3. Do you envision these technologies generating a need for additional spectrum for operations as a result of new applications of the technology in daily operations? Will they generate growth or excess capacity? Will they reduce or eliminate the need for additional spectrum?

4. Is it operationally feasible to accommodate some portion of present or

future public safety communications requirements on either private carrier or common carrier facilities? If not, why? What portion can be satisfied by other private or common carrier facilities?

5. What applications are there for frequency trunking or narrowband systems in public safety communications systems? Do you foresee future applications?

6. Do present public safety communications systems employ any digital technology? If so, what percentage does digital constitute of the total communications system? Is this primarily data or voice? Do public safety agencies foresee an increase in the use of digital radio in meeting public safety needs?

7. Are there public safety needs for wideband (more than 25 kHz) data only channels or narrowband data only channels? If so, detail.

8. How often would public safety agencies normally plan on replacing public safety communications equipment in the next 16 years? For each replacement cycle, what percentage of total systems will need replacement? What is considered to be the average useful life of radio equipment? How important is cost of radio equipment in determining what to purchase? What is the age distribution of present equipment? What factors determine whether certain equipment will be replace?

Federal, State and Local Coordination[8]

1. What procedures would provide more efficient coordination of radio communications between Federal, State and local authorities during responses to emergency situations?

2. Would it be feasible or appropriate to designate a portion of the spectrum allocated for Federal government use and set it aside for a nationwide emergency communication system which could be employed by appropriate authorities in response to a national, state of local emergency? If so, in what part of the radio spectrum could it be located?

Administrative

16. The Commission recognizes the broad scope of this Inquiry and the inherent difficulty in identifying or projecting public safety communication requirements for the future. However, the information obtained in this Inquiry will be useful only to the extent that it is specific and comprehensive. Respondents are encouraged to provide detailed information, based on actual operational experience, on present and future spectrum requirements for the public safety services, as well as on the availability of suitable spectrum and technology.

17. Accordingly, the Commission adopts this *Notice of Inquiry*, under the authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r). Pursuant to the procedures set out in section 1.415 of the Commission's Rules, 47 CFR 1.415, interested persons may file comments on or before May 15, 1984 and reply comments on or before June 15, 1984. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, the Commission may take into consideration information and ideas not contained in the comments, provided that such information or a writing indicating the nature and source of such information is placed in the public file and the fact of the Commission's reliance on such information is noted in any subsequent actions.

18. In accordance with the provisions of section 1.419 of the Commisison's Rules, 47 CFR 1.419, formal participants shall file an original and five copies of their comments and other materials. Participants wishing each Commissioner to have a personal copy of their comments should file an original and 11 copies. Members of the general public who wish to express their interest by participating informally may do so by submitting one copy. All comments will be given the same consideration, regardless of the number of copies submitted. All documents will be available for public inspection during regular business hours in the Commission's Public Reference Room at its headquarters in Washington, D.C.

19. Points of contact on this matter are Rose M. Crellin and Larry D. Reed, Planning Staff, Private Radio Bureau, (202) 254-3301.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 84-6755 Filed 3-14-84; 8:45 am]

BILLING CODE 6712-01-M

[8] We particularly invite comments on these issues from the Federal Emergency Management Agency (FEMA) and the National Telecommunications and Information Administration (NTIA).

NATIONAL SCIENCE FOUNDATION

48 CFR Ch. 25

Acquisition Regulation; Establishment of Chapter

AGENCY: National Science Foundation.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice invites written comments on the National Science Foundation proposal to establish the National Science Foundation Acquisition Regulation (NSFAR) as Chapter 25 of the Federal Acquisition Regulation System. The (NSFAR) will implement and supplement the FAR and will supersede the current NSF Procurement Regulations (41 CFR Chapter 25).

DATE: Comments are due on or before May 15, 1984.

ADDRESS: Division of Grants and Contracts, Policy Office, Room 201, National Science Foundation, Washington, DC 20550.

FOR FURTHER INFORMATION CONTACT: Mr. William S. Kirby, (202) 357-7880.

SUPPLEMENTARY INFORMATION: The draft NSFAR is being made available for review and comment in accordance with OFPP Policy Letter 83-2 (48 FR 24492, 6/1/83). The draft NSFAR is based primarily on the current NSF Procurement Regulations 941 CFR Chapter 25). It contains no new substantial material. It is therefore certified that the draft NSFAR will not have a substantial impact on a suabstantial number of small entities under the Regulatory Flexibility Act. Further, the draft NSFAR is a procurement regulation exempted from the requirements of Executive Order 12291 by the Director, OMB.

Title 48 of the Code of Federal Regulations is amended as set forth below:

Gaylord L. Ellis,

Director, Division of Grants and Contracts.

List of Subjects in 48 CFR Chapter 25

Government procurement.

It is proposed to amend Title 48 by establishing Chapter 25 to read as follows:

CHAPTER 25—NATIONAL SCIENCE FOUNDATION

SUBCHAPTER A—GENERAL

Part 2501 Federal Acquisition Regulations System

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

Part 2515 Contracting by negotiation

SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

Part 2527 Patents, data, and copyrights

Part 2532 Contract financing

SUBCHAPTER A—GENERAL

PART 2501—FEDERAL ACQUISITION REGULATIONS SYSTEM

Subpart 2501.1—Purpose, Authority, Issuance

Sec.
2501.101 Purpose.
2501.102 Authority.
2501.103 Applicability.
2501.104 Issuance.
2501.104-1 Publication and code arrangement.
2501.104-2 Arrangement of regulations.

Subpart 2501.4—Deviations From the FAR

2501.403 Individual deviations.
2501.404 Class deviations.

Subpart 2501.6—Contracting Authority and Responsibilities

2501.601 General.
2501.602 Contracting officers.
2501.602-1 Authority.

Authority: 42 U.S.C. 1870(a).

Subpart 2501.1—Purpose, Authority, Issuance

2501.101 Purpose.

These regulations implement and supplement the Federal Acquisition Regulations (FAR).

2501.102 Authority.

The NSF Acquisition Regulations are issued under the authority of section 11(a) of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1870(a)).

2501.103 Applicability.

Except where a deviation is specifically authorized in accordance with Subpart 2501.4 or otherwise authorized by law, the FAR and the NSFAR govern all NSF acquisitions.

2501.104 Issuance.

2501.104-1 Publication and code arrangement.

(a) The NSFAR is published in the daily issues of the **Federal Register** and, in cumulative form, in the Code of Federal Regulations.

(b) The NSFAR is issued as Chapter 25 of Title 48, Code of Federal Regulations.

2501.104-2 Arrangement of regulations.

The NSFAR uses the same numbering system and arrangement used in the FAR. Where the NSFAR implements the FAR it is numbered and captioned to correspond to the FAR. Where there is no corresponding material in the FAR, Parts 70 and up are used by the NSFAR. Where the subject matter in the FAR requires no implementation the NSFAR contains no corresponding part.

Subpart 2501.4—Deviations From the FAR

2501.403 Individual deviations.

Individual deviations, affecting only one contracting action may be authorized by the NSF Procurement Executive.

2501.404 Class deviations.

Class deviations may be authorized by the NSF Procurement Executive subject to the limitations set forth in FAR Subpart 1.4.

Subpart 2501.6—Contracting Authority and Responsibilities

2501.601 General.

Authority and responsibility to contract for authorized supplies and services is vested in the Director, NSF, within the limits expressly provided by the National Science Foundation Act of 1950 (42 U.S.C. 1861-et seq.). The NSF Procurement Executive is delegated overall responsibility by the Director for the Foundation's contracting activities.

2501.602 Contracting officers.

2501.602-1 Authority.

NSF Contracting Officers have authority to enter into, administer, or terminate contracts and make related determinations and findings to the extent of the authority delegated to them in writing by the NSF Procurement Executive.

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

PART 2515—CONTRACTING BY NEGOTIATION

Subpart 2515.2—Negotiation Authorities

2515.215-70 NSF negotiation authorities.

(a) *Authorities. Citation:* 42 USC 1870(c).

(b) *Application.* When a NSF contract is for scientific activities which are determined by the NSF contracting officer to be "necessary to carry out the purposes of the NSF Act," then 41 U.S.C. 252(c)(15) is applicable and the contract may be entered into through negotiation rather than formal advertising. The Foundation's contracting officer may, in lieu of reliance on 42 U.S.C. 1870(c) and 41 U.S.C. 252(c)(15), utilize other applicable negotiating authorities at his or her discretion. 42 U.S.C. 1870(c) and 41 U.S.C. 252(c)(15) may also be used to authorize negotiation if the Foundation is carrying out, "at the request of the Secretary of State or Secretary of Defense, specific scientific activities in connection with matters relating to international cooperation or national security." Contracts or their modifications entered into under this authority may be done so without legal consideration and without performance or other bonds.

(42 U.S.C. 1870(c))

SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

PART 2527—PATENTS, DATA, AND COPYRIGHTS

Subpart 2527.70—Disposition of Rights in Inventions

Sec.
2527.7001 General.
2527.7002 NSF patent policy.

Subpart 2527.71—Data Rights [Reserved]

Authority: 35 U.S.C. 200 et seq., commonly called the Bayh-Dole Act, as implemented by Office of Management and Budget Circular A-124; Secs. 11(e) and 12(a) of the National Science Foundation Act, as amended (42 U.S.C. 1870(e) and 1871(a)); and the Presidential Memorandum entitled "Government Patent Policy," issued February 18, 1983.

Subpart 2527.70—Disposition of Rights in Inventions

2527.7001 General.

The policies, procedures, and clauses that govern allocation of rights to inventions made in performance of NSF sponsored research are codified in 45 CFR Part 650. These regulations shall also apply to contracts entered into by the National Science Foundation.

2527.7002 NSF patent policy.

As authorized by the National Science Board at its 230th meeting, October 15-16, 1981, the Director of the National Science Foundation adopted the following statement of NSF patent policy.

(a) As required by the Bayh-Dole Act and the Presidential Memorandum entitled "Government Patent Policy" issued February 18, 1983, the Foundation will use the Patent Rights clause prescribed by the Office of Management and Budget in all its funding agreements for the performance of experimented, developmental, or research work, including contracts for the operation of Government-owned research facilities, unless the Foundation determines that some other provision would better serve the purposes of that Act or the interests of the United States and the general public.

(b) In funding agreements covered by a treaty or agreement that provides that an international organization or foreign government, research institute, or

inventor will own or share patent rights, the Foundation will acquire such patent rights, as are necessary to comply with the applicable treaty or agreement.

(c) The Foundation will claim no rights to inventions in funding agreements made primarily for the support of education or training, such as fellowships and traineeships. A disclaimer of interest in inventions will be included in such awards.

(d) If an awardee elects not to retain rights to an invention, the Foundation will allow the inventor to retain the principal patent rights unless the awardee shows that it would be harmed by that action.

(e) The Foundation will normally allow any patent rights not wanted by the awardee or inventor to be dedicated to the public through publication. However, if another Federal agency is known to be interested in the relevant technology, the Foundation may give it an opportunity to review and patent the invention so long as that does not inhibit the dissemination of the research results to the scientific community.

(f) The Foundation will waive the restrictions imposed by the Bayh-Dole Act on the assignment or exclusive licensing of NSF-supported inventions by a nonprofit organization when that appears to serve the policy and objective of the Act. For identified inventions, the Foundation will waive the restrictions if the nonprofit organization obtains from the prospective assignee or licensee a firm commitment to develop and commercialize the invention. In any industry-university joint research award, the Foundation will waive the restrictions at the time of award if the nonprofit organization shows that they are unfair considering the industrial participant's contribution or that the project will not be undertaken unless they are waived.

(g) In funding agreements not controlled by the Bayh-Dole Act, the Foundation will waive any of the rights or conditions normally reserved or imposed if the grantee or contractor demonstrates: (1) That the interests of the United States and the general public will be better served thereby, or (2) that it is making a substantial contribution of funds, facilities, or equipment to the work performed under the funding agreement.

(h) As far as practical, the Foundation will apply the intent of this policy to funding agreements entered into before the effective dates of the Bayh-Dole Act and the Presidential Memorandum.

Subpart 2527.71—[Reserved]

PART 2532—CONTRACT FINANCING

Subpart 2532.4—Advance Payments

Sec.
2532.401 Statutory authority.
2532.403 Applicability.

Authority: 42 U.S.C. 1870(d)

Subpart 2532.4—Advance Payments

§ 2532.401 Statutory authority.

The NSF Act (42 U.S.C. 1870(d)) provides that advance, progress or other payments which relate to scientific activities or scientific information may be made without regard to the provisions of section 3548 Revised Statutes (31 U.S.C. 529).

§ 2532.403 Applicability.

Advance payments may be made in any amount not exceeding the contract price, provided: (a) The amount of the advance payment is based upon an analysis of the financing required by the contractor for the contract and does not exceed reasonable financial requirements between payments, and (b) such advance payment is appropriate in order to contract for the required work.

[FR Doc. 84-6926 Filed 3-14-84; 8:45 am]
BILLING CODE 7555-01-M

Notices

Federal Register
Vol. 49, No. 52
Thursday, March 15, 1984

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Committee on Judicial Review; Public Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of a meeting of the Committee on Judicial Review of the Administrative Conference of the United States, to be held at 9 a.m. Friday, March 30, 1984, in Federal Trade Commission Hearing Room No. 3, Lower Level, 2120 L Street, NW., Washington, D.C. The Committee will meet to discuss a draft report by Professor Frederick Anderson on procedures for negotiating voluntary cleanup by private parties of hazardous waste dump sites.

Attendance is open to the interested public, but limited to the space available. Persons wishing to attend should notify the Office of the Chairman of the Administrative Conference at least two days in advance. The committee chairman, if he deems it appropriate, may permit members of the public to present oral statements at the meeting; any member of the public may file a written statement with the committee before, during or after the meeting.

For further information concerning this meeting contact Mary Candace Fowler, Office of the Chairman, Administrative Conference of the United States, 2120 L Street, NW., Suite 500, Washington, D.C. (Telephone: 202–254–7065.) Minutes of the meeting will be available on request.

Dated: March 12, 1984.

Richard K. Berg,

General Counsel.

[FR Doc. 84–7002 Filed 3–14–84; 8:45 am]

BILLING CODE 6110–01–M

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

Garrison Creek Watershed, Oklahoma; Environmental Impact Statement

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Services Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Garrison Creek Watershed, Sequoyah County, Oklahoma.

FOR FURTHER INFORMATION CONTACT: Roland R. Willis, State Conservationist, Soil Conservation Service, USDA Agricultural Center Building, Stillwater, Oklahoma, 74074, telephone (405) 624–4360.

SUPPLEMENTARY INFORMATION: The environmental assessment for this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Roland R. Willis, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project concerns a plan for flood prevention and agricultural water management. The planned work included improvement of 13.65 miles of main and lateral channels for flood prevention and drainage, clearing and snagging along 2.46 miles of existing channel, and repair of an existing diversion dike.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Roland R. Willis.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program. Office of Management and Budget Circular A–95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: March 8, 1984.

Donald R. Vandersypen,

Assistant State Conservationist (WR).

[FR Doc. 84–6979 Filed 3–14–84; 8:45 am]

BILLING CODE 3410–16–M

St. Jones River Watershed, Delaware; Environmental Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council of Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is being prepared for the St. Jones River Watershed, Kent County, Delaware.

FOR FURTHER INFORMATION CONTACT: Mr. Donald M. McArthur, State Conservationist, Soil Conservation Service, 9 E. Loockerman Street, Room 210, Dover, Delaware, 19901, 302–678–0750.

SUPPLEMENTARY INFORMATION: The environmental evaluation of this federally assisted action indicates that the project may cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Donald M. McArthur, State Conservationist, has determined that the preparation and review of an environmental impact statement are needed for this project.

The project concerns a plan for watershed protection, flood prevention and drainage. Alternatives under consideration to reach these objectives include systems for conservation land treatment, nonstructural measures, and channel improvement.

A draft environmental impact statement will be prepared and circulated for review by agencies and the public. The Soil Conservation Service invites participation and consultation of agencies and individuals that have special expertise, legal jurisdiction, or interest in the preparation of the draft environmental impact statement. A meeting will be held at 7:30 P.M., Monday, April 30, 1984 in the auditorium of the Richardson and Robbins Building in Dover, Delaware to determine the scope of the evaluation of the proposed action. Further information on the proposed action, or the scoping meeting may be obtained from Mr. Donald M. McArthur, State Conservationist, at the above address or telephone (302) 678-0570.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program. Office of Management and Budget Circular A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable.)

Dated: March 8, 1984.

William A. Bell,

Administrative Officer.

[FR Doc. 84-6901 Filed 3-14-84; 8:45 am]

BILLING CODE 6820-34-M

DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review; Application

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of application.

SUMMARY: The Office of Export Trading Company Affiars, International Trade Administration, Department of Commerce has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and invites interested parties to submit information relevant to the determination of whether a certificate should be issued.

DATES: Comments on these applications must be submitted on or before April 4, 1984.

ADDRESS: Interested parties should submit their written comments, original and five (5) copies, to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 5618, Washington, D.C. 20230.

Comments should refer to this application as "Export Trade Certificate of Review, application number 84-00011."

FOR FURTHER INFORMATION CONTACT: Charles S. Warner, Director, Office of Export Trading Company Affairs, International Trade Administration, 202/377-5131, or Eleanor Roberts Lewis, Assistant General Counsel for Export Trading Companies, Office of General Counsel, 202/377-0937. These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (Pub. L. 97-290) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 48 FR 10596-10604 (Mar. 11, 1983) (to be codified at 15 FR 325). A ceritificate of review protects its holder and the members identified in it from private treble damage actions and from civil and criminal liability under Federal and state antitrust laws for the export trade, export trade activities and methods of operation specified in the certificate and carried out during its effective period in compliance with its terms and conditions.

Standards for Certification

Proposed export trade, export trade activities, and methods of operation may be certified if the applicant establishes that such conduct will:

1. Result in neither a substantial lessening of competition or restraint of trade within the United States nor a substantial restraint of the export trade of any competitor of the applicant,

2. Not unreasonably enhance, stabilize, or depress prices within the United States of the goods, wares, merchandise, or services of the class exported by the applicant,

3. Not constitute unfair methods of competition against competitors engaged in the export of goods, wares, merchandise, or services of the class exported by the applicant, and

4. Not include any act that may reasonably be expected to result in the sale for consumption or resale within the United States of the goods, wares, merchandise, or services exported by the applicant.

The Secretary will issue a certificate if he determines, and the Attorney General concurs, that the proposed conduct meet these four standards. For a further discussion and analysis of the conduct eligible for certification and of the four certification standards, see "Guidelines for the Issuance of Export Trade Certificates of Review," 48 FR 15937-10 (April 13, 1983).

Request for Public Comments

The Office of Export Trading Company Affairs (OETCA) is issuing this notice in compliance with section 302(b)(1) of the Act which requires the Secretary to publish a notice of the application in the Federal Register identifying the persons submitting the application and summarizing the conduct proposed for certification. The OETCA and the applicant have agreed that this notice fairly represents the conduct proposed for certification. Through this notice, OETCA seeks written comments from interested persons who have information relevant to the Secretary's determination to grant or deny the application below. Information submitted by any person in connection with the application(s) is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552).

The OETCA will consider the information received in determining whether the proposed conduct is "export trade," "export trade activities," or a "method of operation" as defined in the Act, regulations and guidelines and whether it meets the four certification standards. Based upon the public comments and other information gathered during the analysis period, the Secretary may deny the application or issue the certificate with any terms or conditions necessary to assure compliance with the four standards.

The OETCA has received the following application for an Export Trade Certificate of Review:

Applicant: Watsand International, Ltd., P.O. Box 187, Lake Bluff, Illinois 60044, Telephone 312/295-7533
Application No.: 84-00011
Date Received: February 28, 1984
Date Deemed Submitted: March 2, 1984
Members in Addition to Applicant: None

Summary of the Application: Watsant International, Ltd. has submitted an application seeking to act either as a commission agent or by taking title and arranging financing for small- and medium-sized manufacturers and distributors desiring to export products classified as: Medical devices; medical, laboratory and scientific instruments and equipment; medical and research diagnostics; diagnostic substances and biological products: medicinal and botanical products; pharmaceutical and chemical preparations acting on the skin; surgical, medical and hospital equipment and instruments; electrical and electronic devices and equipment related to medical treatment, diagnosis and research; druggist and medical sundries; x-ray, medical, diagnostic and

therapeutic equipment; analytical, optical, and scientific instruments; surgical, orthopedic and prosthetic applicances and supplies; electronic hearing and speech aids; dental equipment and supplies; solar and alternative energy equipment instruments and supplies; active and passive solar heating and cooling equipment and supplies; and scientific instruments and supplies used in energy conservation, environmental control, air and water purification and pollution control. Markets for these products will be sought worldwide.

Watsand will also perform the following export facilitation services: Market and product research; advertising, trade promotion, and marketing; legal assistance; trade documentation and freight forwarding; communication and processing of foreign orders to and for exporters and foreign purchasers; warehousing; foreign exchange; credit investigation and collections; and business development and licensing assistance. In addition, Watsand will enter into exclusive and non-exclusive agreements with both domestic suppliers or distributors and with overseas distributors, agents, and buyers.

The OETCA is issuing this notice in compliance with section 302(b)(1) of the Act which requires the Secretary to publish a notice of the application in the **Federal Register** identifying the persons submitting the application and summarizing the conduct proposed for certification. Interested parties have twenty (20) days from the publication of this notice in which to submit written information relevant to the determination of whether a certificate should be issued.

Dated: March 12, 1984.

Irving P. Margulies,

Acting General Counsel.

[FR Doc. 84-6990 Filed 3-14-84; 8:45 am]

BILLING CODE 3510-DR-M

Export Trade Certificate of Review

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of issuance of export trade certificate of review.

SUMMARY: The Department of Commerce has issued an export trade certificate of review on an expedited basis to Farmers' Rice Cooperative. This notice summarizes the conduct for which certification has been granted.

ADDRESS: The Department requests public comments on this certificate. Interested parties should submit their written comments, original and five (5) copies, to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 5618, Washington, D.C. 20230.

Comments should refer to the certificate as "Export Trade Certificate of Review, application number 84-00005."

FOR FURTHER INFORMATION CONTACT: Charles S. Warner, Director, Office of Export Trading Company Affairs, International Trade Administration, 202/377/5131, or Eleanor Roberts Lewis, Assistant General Counsel for Export Trading Companies, Office of General Counsel, 202/377-0937. These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 ("the Act") (Pub. L. 97-290) authorizes the Secretary of Commerce to issue export trade certificates of review. The regulations implementing the Act are found at 48 FR 10595-10604 (March 11, 1983) (to be codified at 15 CFR Part 325). A certificate of review protects its holder and the members identified in it from private treble damage actions and government criminal and civil suits under federal and state antitrust laws for the export conduct specified in the certificate and carried out during its effective period in compliance with its terms and conditions.

Standards for Certification

Proposed export trade, export trade activities, and methods of operation may be certified if the applicant establishes that such conduct will:

1. Result in neither a substantial lessening of competition or restraint of trade within the United States nor a substantial restraint of the export trade of any competitor of the applicant;

2. Not unreasonably enhance, stabilize, or depress prices within the United States of the goods, wares, merchandise, or services of the class exported by the applicant;

3. Not constitute unfair methods of competition against competitors engaged in the export of goods, wares, merchandise, or services of the class exported by the applicant; and

4. Not include any act that may reasonably be expected to result in the sale for consumption or resale within the United States of the goods, wares, merchandise, or services exported by the applicant.

The Secretary will issue a certificate if he determines, and the Attorney General concurs, that the proposed conduct meets these four standards. For a further discussion and analysis of the conduct eligible for certification and of the four certification standards, see "Guidelines for the Issuance of Export Trade Certificates of Review," 48 FR 15937-15940 (April 13, 1983).

Description of Certified Conduct

The Office of Export Trading Company Affairs received an application for an export trade certificate of review from Farmers' Rice Cooperative on January 20, 1984. The application was deemed submitted on January 27, 1984. A summary of the application was published in the **Federal Register** on February 9, 1984 (49 FR 4957). Farmers' Rice Cooperative applied to have certified contractual arrangements by which: (1) The Cooperative and other entities having California rice products available for export will aggregate their available supplies in order jointly to bid on, negotiate and perform commercial contracts for the supply of California rice products to foreign purchasers; and (2) the Cooperative may coordinate and provide storage, shipping, delivery and associated administrative services to all participating entities.

As part of its application, Farmers' Rice Cooperative asked the Commerce and Justice Departments to expedite their review. Farmers' Rice Cooperative explained that it was expecting a government in the Far East will soon request bids on a commercial contract to supply a very substantial quantity of rice in which case the Cooperative would have to respond on a short bidding deadline. The Department of Commerce reviewed the applicant's request and found that expedited review was warranted because the anticipated transaction would have a significant impact on Farmers' Rice Cooperative's export trade should its bid win. Therefore, on February 13, 1984, the Department of Commerce, with the concurrence of the Department of Justice, granted in part the Cooperative's request for expedited review. The agencies agreed to expedite their review of the application as it relates to the specific transaction and parties that Farmers' Rice Cooperative identified. The Commerce and Justice Departments will review the remainder of the application on a normal schedule.

Based on analysis of the information contained in the application and other information in their possession, the Department of Commerce has determined, and the Department of Justice concurs, that the following export trade, export trade activities, and methods of operation specified by Farmers' Rice Cooperative meet the four standards of the Act:

Export Trade

Rice and rice products (rough rice, milled rice, undermilled or unpolished rice, brown rice, coated rice, enriched rice, rice bran, rice polish, head rice, second head rice, and brewers rice).

Export Trade Activities and Methods of Operation

(1) Farmers' Rice Cooperative may join with the Named Members to bid for the sale of, and to sell, rice and rice products pursuant to the first request for bids by the government of a Far East nation after the issuance of this certificate and before June 1, 1984 ("the sale").

(2) Farmers' Rice Cooperative and the Named Members may negotiate and agree on the terms of their participation in the sale, including the amount of rice and rice products each will commit to the sale and the price to be bid, and in order to negotiate those terms, may exchange:

(a) Information that is already generally available to the trade or public,

(b) Information (such as selling strategies, prices, projected demand, and customary terms of sale) solely about the Export Market, and

(c) Information on costs specific to exporting to the Export Market (such as ocean freight, inland freight to the terminal or port, terminal or port storage, wharfage and handling charges, insurance, agents' commissions, export sales documentation and service, and export sales financing).

(3) Farmers' Rice Cooperative may negotiate with the Named Members to provide, and may provide, the storage, shipping and delivery, and associated services needed for the sale.

(4) Farmers' Rice Cooperative and the Named Members may, with respect to the sale, refuse to include in their bid any other company having rice and rice products for export.

Named Members

In accordance with § 325.2(k) of the Regulations, "Named Members" shall mean those companies seeking protection under this certificate to engage in the export trade, export trade activities, and methods of operation with Farmers' Rice Cooperative. "Named Members" does not include members constituting Farmers' Rice Cooperative. For purposes of this certificate, only Comet Rice of California, Inc., Pacific International Rice Mills, Inc., and C. E. Grosjean Milling Company may be Named Members, provided that each shall notify the Department of Commerce in writing immediately upon agreeing to be a Named Member.

The Office of Export Trading Company Affairs is issuing this notice pursuant to 15 CFR 325.5(c), which requires the Department of Commerce to publish a summary of a certificate in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.10(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

A copy of each certificate will be kept in the International Trade Administration's Feedom of Information Records Inspection Facility, Room 4001-B, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230. The certificates may be inspected and copied in accordance with regulations published in 15 CFR Part 4. Information about the inspection and copying of records at this facility may be obtained from Patricia L. Mann, the International Trade Administration Freedom of Information Officer, at the above address or by calling (202) 377-3031.

Dated: March 12, 1984.

Irving P. Margulies,

Acting General Counsel.

[FR Doc. 84-6991 Filed 3-14-84; 8:45 am]

BILLING CODE 3510-DR-M

[Case No. 640]

Robert J. Lambert et al.; Order

In the matter of Robert J. Lambert, individually and doing business as Computer and Test Systems, 5671 Via Ceresa, Yorba Linda, California 92686; Dierk Hagemann, individually and doing business as Hi-Tech World Transport Corporation (formerly Uni-Data World Transport Corporation), 110 Standard Street, El Segundo, California 90245; Albert Franz Kessler, 20 Kennel Street, 8800 Thalwil, Switzerland; Case No. 640; Order Amending Temporary Denial of Export Privileges.

The U.S. Department of Commerce (Department) has moved for an Amendment of the Temporary Denial Order (Order) issued against Robert J. Lambert, et al., on February 28, 1983 (48 FR 10108, March 10, 1983) which denied them, pursuant to § 388.19 of the Export Administration Regulations (currently codified at 15 CFR Parts 368-399 (1983)), all privileges of participating in any manner or capacity in the export of U.S.-origin commodities or technical data. The Order has been twice before amended concerning matters not relevant to this requested Amendment (48 FR 20784, May 9, 1983 and 48 FR 34090, July 27, 1983).

The Department now seeks to amend the Order further: (1) By clarifying that the Order applies to a respondent individually *and* to the company through which he does business, and (2) by listing the new or correct names for a denied party and two related parties.

As to the requested clarification, the Department states that it is necessary to eliminate any uncertainty as to the applicability of the Order. As to the requested new listing, the Department states that respondent Uni-Data World Transport Corporation provided information showing that it and two related parties underwent name changes in late 1982.

Based on the Department's presentation, I find that its requested Amendment is justified, and that granting it will not jeopardize the purpose of the Order of February 28, 1983.

Accordingly, it is hereby ordered that, effective immediately, the Order of February 28, 1983 is further amended: (1) By adding the words "individually and" after the names of respondents Lambert and Hagemann; and (2) by adding the new or correct names as well as former previously listed names for respondent Uni-Data World Transport Corporation and two of the related parties, as follows:

In the caption: Hi-Tech World Transport Corporation (formerly Uni-Data World Transport Corporation), 110 Standard Street, El Segundo, California 90245.

In Paragraph III of the order, concerning related parties:

Hi-Tech Ocean Transport Corporation (listed previously as Uni-Data World Ocean Transport, Inc.)

Hi-Tech Customs Brokerage, Inc. (listed previously as Uni-Data Customs Brokers Inc.).

A copy of this Amendment of the Order of February 28, 1983 shall be served upon each of the respondents, and upon each of the related parties, named in Paragraph III of the Order and in this Amendment, except for those related parties that were removed from the listing in Paragraph III by the two previous amendments of this Order. A copy of this Amendment of the Order of February 28, 1983 shall be published in the **Federal Register.**

Dated: March 8, 1984.

Thomas W. Hoya,

Hearing Commissioner.

[FR Doc. 84-6935 Filed 3-14-84; 8:45 am]

BILLING CODE 3510-DT-M

Computer, Systems Technical Advisory Committee; Partially Closed Meeting

A meeting of the Computer Systems Technical Advisory Committee will be held April 4, 1984, 2:00 p.m., Herbert C. Hoover Building, Room 3407, 14th Street and Constitution Avenue, NW., Washington, D.C. The Committee advises the Office of Export Administration with respect to technical questions which affect the level of export controls applicable to computer systems or technology.

General Session

1. Opening remarks by the Chairman.
2. Presentation of papers or comments by the public.
3. Review of progress on Committee's 1984 annual plan.
4. Report on current work program of the subcommittees:
   a. Foreign Availability,
   b. Hardware, and
   c. Licensing Procedures.
5. New Business.
6. Action items underway.
7. Action items due at next meeting.

Executive Session

Discussion of matters properly classified under Executive Order 12356, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The General Session of the meeting will be open to the public and a limited number of seats will be available. To the extent time permits, members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on February 6, 1984, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government In The Sunshine Act, Pub. L. 94–409, that the matters to be discussed in the Executive Session should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1) and are properly classified under Executive Order 12356.

A copy of the Notice of Determination to close meetings or portions thereof is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 6628, U.S. Department of Commerce, Telephone: 202–377–4217. For further information or copies of the minutes contact Margaret A. Cornejo (202) 377–2583.

Dated: March 9, 1984.

Milton M. Baltas,

Director of Technical Programs, Office of Export Administration.

[FR Doc. 84–6936 Filed 3–14–84; 8:45 am]

BILLING CODE 3510-DT-M

Exporters' Textile Advisory Committee; Open Meeting

A meeting of the Exporters' Textile Advisory Committee will be held April 10, 1984 at 10:00 a.m., in the Executive Suite of the Sheraton Russell Hotel, 45 Park Avenue (at 37th Street), New York, New York. The Committee provides advice about ways to promote increased exports of U.S. textiles and apparel. Agenda: Review of export data; report on conditions in the export market; recent foreign restrictions affecting textiles; export expansion activities; and other business.

The meeting will be open to the public with a limited number of seats available. For further information or copies of the minutes, contact Helen LeGrande, (202/377–3737).

Dated: March 9, 1984.

Walter C. Lenahan,

Deputy Assistant Secretary for Textiles and Apparel.

[FR Doc. 84–6938 Filed 3–14–84; 8:45 am]

BILLING CODE 3510-DR-M

Foreign Availability Subcommittee of the Computer Systems Technical Advisory Committee; Open Meeting

A meeting of the Foreign Availability Subcommittee of the Computer Systems Technical Advisory Committee will be held April 4, 1984, 9:00 a.m., Herbert C. Hoover, Building, Room 3407, 14th Street and Constitution Avenue, NW., Washington, D.C. The Foreign Availability Subcommittee was formed to ascertain if certain kinds of equipment are available in non-COCOM and Communist counties, and if such equipment is available, then to ascertain if it is technically the same or similar to that available elsewhere.

Agenda

1. Introduction of members and guests.
2. Opening remarks by Subcommittee Chairman.
3. Presentation of papers or comments by the public.
4. Status of foreign availability organization and certification.
5. DOD participation in foreign availability certification.
6. Decontrol of selected computerized electronic instrumentation–4529B items.
7. Recommendations of industry committee on technology transfer.
8. Review of Foreign availability provisions in the Senate Act 979.
9. New Business.
10. Action items underway. (Definition of U.S. origin)
11. Action items due at next meeting.

The meeting will be open to the public with a limited number of seats available. For further information or copies of the minutes contact Margaret A. Cornejo, (202) 377–2583.

Dated: March 12, 1984.

Milton M. Baltas,

Director of Technical Programs, Office of Export Administration.

[FR Doc. 84–6937 Filed 3–14–84; 8:45 am]

BILLING CODE 3510-DT-M

National Bureau of Standards

National Voluntary Laboratory Accreditation Program

AGENCY: National Bureau of Standards, Commerce.

ACTION: Notice of final finding of need to accredit laboratories that provide pressure calibration services.

SUMMARY: Under the procedures of the National Voluntary Laboratory Accreditation Program (NVLAP) (15 CFR Part 7a), this notice announces the National Bureau of Standards final finding of need to accredit testing laboratories that provide pressure calibration services and describes the basis for that finding. The notice also announces the intent by NBS to develop a voluntary laboratory accreditation program (LAP) to accredit those laboratories and to hold a public workshop at NBS on May 16, 1984, to establish technical requirements for accreditation and proficiency testing.

EFFECTIVE DATE: April 16, 1984.

FOR FURTHER INFORMATION CONTACT: John W. Locke, Manager, Laboratory Accreditation, National Bureau of Standards, TECH B141, Washington, D.C. 20234; (301) 921–3431.

SUPPLEMENTARY INFORMATION:

Background

On July 22, 1983, the National Bureau of Standards (NBS) published in the **Federal Register** a preliminary finding of need to accredit laboratories that provide pressure calibration services (preliminary finding) (48 FR 33509–33511) based on the request of Charles J.

Reed, Mansfield & Green Division of AMETEK, Largo, Florida. Written comments on the preliminary finding were due by November 21, 1983. NBS held an informal public hearing on October 19, 1983. Four individuals presented their views at the hearing. Beside these oral comments, five written statements were filed in response to the preliminary finding. The written statements and the transcript of the public hearing are available for inspection and copying in the Department of Commerce Central Reference and Records Inspection Facility (CRRIF), Room 6628, Herbert C. Hoover Building, 14th Street between Constitution Avenue and E Street, NW., Washington, D.C. 20230.

These oral and written comments have been carefully considered and analyzed. In addition, NBS reviewed the preliminary finding and the basis on which it was issued. The result of this analysis and review is contained in a document entitled, "Summary and Analysis of Comments on the Preliminary Finding of Need to Accredit Laboratories That Provide Pressure Calibration Services and Recommendations for a Final Finding of Need." That document, which lists the members of the public who provided oral and written comments, is available for inspection and copying at CRRIF mentioned above.

A summary of the comments and the position taken by NBS on major issues raised by the comments is presented immediately below, followed by the final finding of need.

Summary of Analysis of Comments on Major Issues

General Comments. In response to the preliminary finding, four oral responses were presented at the public hearing and five written responses were received. Two respondents presented both oral and written responses. Except for one response which was from the Department of the Navy, all of the others were from manufacturers of pressure measuring devices. Six respondents favored a pressure calibration LAP and one was opposed.

Scope of LAP. The LAP requestor proposed that the scope of the LAP be identified in terms of a specific pressure range. The range suggested was 1 kPa to 100 MPa. However, the requestor pointed out that this scope could be increased or decreased based on public comment. Three responents proposed pressure ranges extending from 130 nPa to 280 MPa. This broad range can be covered by a collection of commercially available pressure measuring devices with one or more devices covering different portions of the range. It has been proposed by the NBS Pressure Calibration Laboratory that the LAP be operated initially in the pressure range of 130 μPa to 280 MPa. This is the range for which NBS currently offers pressure calibration services. It is logical to operate the LAP in this range, at least initially, since it will be the responsibility of NBS to verify the accuracies for which laboratories wish to be accredited. If there is sufficient demand to expand the range after the program becomes operational, the feasibility of expanding the range would be evaluated by the NBS Pressure Calibration Laboratory.

Benefit to the Public. Six respondents indicated general support for the proposed LAP with some providing specific examples of how the LAP would benefit pressure device manufacturers, international trade, product manufacturers, and ultimately the general public. One respondent expressed concern about the number of pressure calibration laboratories and services which claim high accuracy and traceability to NBS but are unable to document their claims. Quite often such laboratories and services use calibration equipment which is questionable with traceability documentation that is either vague or non-existent.

Another respondent stated that the benefits of a LAP are manifested by three factors relating to pressure measurements as follows:

(1) The nature of pressure measurements and the lack of accuracy. Pressure measurements are of critical importance in such areas as nuclear plant operation, aircraft operation, and commodity transfer. The accuracy ratio of what is routinely required in industry and the best accuracies available from the national reference level, NBS, is frequently less than 2:1 leaving very little room for uncertainty in accuracy transfers (calibrations).

(2) The need for a generally recognized third party technical evaluator. Those who employ the services of pressure calibration laboratories have little guarantee that the values they are given are within the tolerances stated. The lack of a generally recognized third party evaluator may explain the duplication of effort by a proliferation of calibration laboratory auditors representing industry associations, governmental and military agencies and independent companies. The establishment, through NVLAP, of a generally recognized third party evaluator would serve the users of pressure calibration services by limiting the need for duplication of auditing efforts and supplying the competent technical evaluation which is frequently lacking.

(3) The lack of understanding of the terms "traceability" and "accuracy" and of NBS's role in the country's measurement system. Quite often traceability is automatically assumed in any discussion of accuracy. The often asked, inconclusive and vague question, "Is that instrument traceable to NBS?" reflects the fact that calibration services users are aware that at some point NBS must play a role in the achievement of accuracy and traceability but that there is confusion as to what that role is. A well conceived LAP would go a long way towards clearing up the confusion.

National Need. Several respondents commented, generally, about a national need for third party evaluation and accreditation of pressure calibration laboratories. These respondents expressed concern that users of calibration services have no means of assuring themselves that the calibration values they receive are correct. Most users of laboratories base their judgment of the laboratory on reputation, previous experience, and good faith. Also stressed was the importance of traceability of pressure calibrations between NBS and standards laboratories as well as between NBS and commercial laboratories. Most pressure calibration laboratories are aware of the importance of traceability but many are not able to define or document traceability in an effective quality assurance system.

At the mentioned public hearing, comments were made with regard to the international acceptance of test results and calibrations. Discussions with laboratory accreditation system managers from other countries at the International Laboratory Accreditation Conference (ILAC) in Paris in October, 1980, indicated that rapid progress is being made by European countries to develop procedures for recognizing calibration service laboratories across national borders. In addition, representatives from India, Indonesia, Brazil, and Mexico spoke of their efforts to develop agreements for bilateral and multilateral recognition of each other's national calibration programs and ultimately of product test results. This trend could form the basis for negotiations leading to the international acceptance of test results produced by an accredited laboratory in any one of the participating countries.

Valid Testing (Calibration) Methodology. At the October 19, 1983, public hearing, various calibration methodologies were discussed which

could be used in the proposed LAP. All of these methodologies were based on the use of artifacts (transfer standards) which could be exchanged between the accredited laboratory and NBS as a means of assessing the laboratory's measurement capability.

One respondent suggested that each laboratory requesting NVLAP accreditation should be able to choose which artifacts it wishes to use. The artifacts, which would be provided by the laboratory, would be calibrated by the laboratory and then sent to NBS for verification. It was suggested that a specific artifact be used for each pressure range for which the laboratory seeks accreditation. A laboratory that applies for accreditation should state the pressure range and measurement accuracy for which it wishes to be accredited and provide a detailed description of the calibration procedures it plans to use.

Conclusion

In reviewing the record as a whole, NBS finds general support for a LAP on pressure calibration services. The final finding of need for the LAP follows.

The next step to be taken in implementing the LAP is to hold a public workshop. The purpose of the workshop is to establish technical requirements for accreditation and proficiency testing schemes which can be used to assess the measurement capability of laboratories. The workshop will be held at the National Bureau of Standards on May 16, 1984, in Room A340, Metrology Building from 9:00 am to 5:00 pm. All interested parties are invited to attend.

Dated: March 9, 1984.

Ernest Ambler,

Director, National Bureau of Standards.

Final Finding of Need

The request from the Mansfield & Green Division of AMETEK that the National Bureau of Standards (NBS) find that there is a need to accredit laboratories which provide pressure calibration services has been carefully considered. Moreover, the preliminary finding issued on July 22, 1983, together with the written and oral comments submitted by interested parties in response thereto, have been carefully reviewed and analyzed. On the basis of the review and analysis, it is hereby found that a need exists to accredit laboratories that provide pressure calibration services.

Identification of the Product

The scope of a laboratory accreditation program (LAP) established under the National Voluntary Laboratory Accreditation Program (NVLAP) is defined by the product area of the LAP. According to Section 7a.3(b) of the NVLAP procedures, the term "product" means "a type or a category of manufactured goods, constructions, installations and natural and processed materials of *those associated services* whose characterization, classification or functional performance determination is specified by standards" (emphasis added). The product for this LAP is identified as "pressure calibration services" covering calibration of pressure measuring devices.

Applicable Standards and Test Methods

Laboratories that apply for accreditation must document the procedures they plan to use and submit them to NVLAP for evaluation. NBS will provide technical assistance to laboratories in selecting optimum calibration procedures. However, the primary emphasis of the program will be on *demonstrated performance* using audit techniques. These audits will be an ongoing process to verify the calibration uncertainties for which laboratories are accredited. The audit process will be designed to allow innovation in calibration techniques. A possible but not unique procedure for the pressure range covered by piston gauges is described in the reference work by P.L.M. Heydemann and B.E. Welch titled *Piston Gages,* N: Experimental Thermodynamics, Vol. II, Experimental Thermodynamics of Nonreacting Fluids (Editors: B. Le Neindre and B. Vodar; Butterworths, London); Chap. 4, Part 3, pps. 188–93, 1975.

Basis of Need

Benefit to the Public. Criteria and other requirements for accrediting laboratories under this LAP would benefit the public interest by:

(a) Providing a common basis for quantitative measures of conformance with accepted standards;

(b) Providing a mechanism whereby calibration laboratories can improve traceability to standards maintained at the National Bureau of Standards;

(c) Supporting legislative requirements for tracing the accuracy of test equipment measurement in certain consumer product, worker safety, and environmental areas;

(d) Recognizing competent vendors of calibration services, thereby promoting equity and fair market value for these services; and

(e) Fostering international acceptance of test results and calibrations produced by United States laboratories.

There are no similar audit or accreditation systems available to both private users and government users of calibration laboratories. The smaller private sector users, who require infrequent and limited use of calibration services, have little guidance in selecting an appropriate calibration laboratory to meet their needs. This LAP will identify competent calibration laboratories on which smaller users can rely.

National Need. Proper calibration of measurement apparatus is the cornerstone on which the accuracy of many important measurements rest. Without properly calibrated measurement apparatus, consistently high quality test data cannot be produced. The validity and reliability of the calibration chain (i.e., traceability to national standards) must be affirmed. Thus, there is a need for a formal means of developing and recognizing competent laboratories that provide certain types of calibration services.

The National Association of Testing Authorities (NATA) of Australia considers its formal accreditation program, which covers a full range of calibration services, to be a major factor in improving the quality of testing provided by Australia's laboratories. In announcing the establishment of the British Calibration Service (BCS), the British Government stated:

> The state of measurement science and practice in a country is one of the surest signs of its technical efficiency. Modern industrial technology depends on accurate measurement. The country requires both a comprehensive system of national standards of measurement, tied to the recognized international standards, and also facilities for checking, or calibrating measuring instruments and other testing apparatus against such standards so that their accuracy can be authenticated.

The BCS system is being used by accrediting authorities in other countries for accrediting calibration services. This trend toward the development of national calibration accreditation systems could form the basis for bilateral and multilateral recognition of calibration results and, ultimately, of product test results. Based on the experience of these systems, a system of accrediting laboratories to perform calibration services in this country is needed to facilitate U.S. participation in international arrangements involving recognition of national calibration systems.

Importance of Standards. Many commercial calibration laboratories develop in-house procedures (standards) for calibrating pressure measuring

devices. However, these procedures are rarely scrutinized by third-party evaluators who have the expertise to judge their validity.

A pressure calibration LAP would require laboratories applying for accreditation to document and submit their calibration procedures to NBS for evaluation. Also, the laoratory would be required to participate in a proficiency testing program in which calibrated artifacts (transfer standards) would be exchanged between NBS and the laboratory. This exchange of artifacts is paramount in determining if the calibration procdures used by the laboratory are adequate to realize the accuracies for which they are accredited.

Valid Testing (Calibration) Methodology. Laboratories applying for accreditation must submit their procedures to NBS for evaluation. This evaluation will determine the validity of the procedures with respect to specific accuracies for which a laboratory requests accreditation. The program will include periodic reevalution of a laboratory's calibration accuracy.

Feasibility and Practicality. The experiences of foreign laboratory accreditation systems in the accreditation of laboratories that provide pressure calibration services and the experiences of NVLAP with its existing LAPs support the feasibility and practicality of a LAP for pressure calibration services.

[FR Doc. 84-6917 Filed 3-14-84; 8:45 am]

BILLING CODE 3510-13-M

National Oceanic and Atmospheric Administration

Issuance of Permit; Dr. J. M. Terhune

On January 24, 1984, Notice was published in the **Federal Register** (49 FR 2928) that an application had been filed with the National Marine Fisheries Service by Dr. J. M. Terhune, Department of Biology, University of New Brunswick, St. John, New Brunswick, Canada E2L-4L5, to take an unspecified number of harbor seals (*Phoca vitulina*) for the purpose of scientific research.

Notice is hereby given that on March 9, 1984, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a Scientific Research Permit to Dr. J. M. Terhune, subject to certain conditions set forth therein.

The Permit and related documents are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Northeast Region, 14 Elm Street, Gloucester, Massachusetts 01930-3799.

Dated: March 9, 1984.

Richard B. Roe,

Director, Office of Protected Species and Habitat Conservation, National Marine Fisheries Service.

[FR Doc. 84-6987 Filed 3-14-84; 8:45 am]

BILLING CODE 3510-22-M

[Proposed Modification to Permit No. 413 (P77#7)]

Permit; Southwest Fisheries Center

Notice is hereby given that the Southwest Fisheries Center, National Marine Fisheries Service, P.O. Box 271, La Jolla, California 92038, has requested a modification of Permit No. 413 issued on April 20, 1983 (48 FR 17638), and modified on June 29, 1983 (48 FR 31062) under the authority of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Regulations Governing the Taking and Importing of Marine Mammals and the Regulations Governing Endangered Species Permits (50 CFR Parts 216 and 222).

The Permit Holder is requesting to take at any location in the Hawaiian archipelago, up to forth (40) Hawaiian monk seals (*Monachus schauinslandi*) found, sick, severely injured or prematurely abandoned during the nursing period which are determined to have a low probability of survival in the wild. The animals will be collected and temporarily maintained for rehabilitation and return to the wild. Additionally, the Permit Holder is requesting to tag up to 250 monk seal pups over a two-year period at French Frigate Schoals.

The Holder is also requesting authorization to continue the bleach marking of Hawaiian monk seals into 1984. This marking will occur on Laysan Island only, and the total number of animals marked during 1983 and 1984 will not exceed that authorized by Permit No. 413.

Concurrent with the publication of this Notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of the modification request to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this modification request should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235 on or before March 28, 1984. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular modification request would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in the modification are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above modification are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: March 8, 1984.

Richard B. Roe,

Director, Office of Protected Species and Habitat Conservation, National Marine Fisheries Service.

[FR Doc. 84-6986 Filed 3-14-84; 8:45 am]

BILLING CODE 3510-22-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Intelligence Agency Advisory Committee; Closed Meeting

Pursuant to the provisions of Subsection (d) of Section 10 of Pub. L. 92-463, as amended by Section 5 of Pub. L. 94-409, notice is hereby given that a closed meeting of the DIA Advisory Committee has been scheduled as follows:

Thursday and Friday, 12-13 April 1984, HQ, ESC, Kelly AFB, TX. The entire meeting, commencing at 0900 hours each day is devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the United States Code and therefore will be closed to the public. The Committee will receive briefings on and discuss several current critical intelligence issues and advise the Director, DIA on related scientific and technical intelligence matters.

Dated: March 12, 1984.

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 84-6971 Filed 3-14-84; 8:45 am]

BILLING CODE 3810-01-M

Department of the Army; Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement (DEIS); Ferrells Bridge Dam (Lake O' the Pines), an Operational Reservoir Project

AGENCY: U.S. Army Corps of Engineers, DOD, Fort Worth District, Defense.

ACTION: Notice of intent to prepare a draft environmental impact statement (DEIS).

SUMMARY:

1. Ferrells Bridge Dam and Lake O' the Pines is an operational multiple purpose reservoir project located in Marion, Harrison, Upshur, Morris, Camp, and Titus Counties of east Texas. Construction of Ferrells Bridge Dam was completed in 1959 for the purposes of flood control, water supply, and recreation. In October 1979 a realignment of District boundaries transferred Operation, Maintenance, and Replacement (OM&R) responsibilities for Lake O' the Pines from New Orleans District to the Fort Worth District, U.S. Army Corps of Engineers. At the time of the boundary realignment, a DEIS had been prepared but not coordinated with the public for OM&R of Lake O' the Pines. The proposed action for which the DEIS is being prepared is the continued operation of the lake and dam; and maintenance of the reservoir, dam, and Federally-owned facilities of the project.

2. Alternatives to be considered include continuation of OM&R by the Corps of Engineers, cessation of OM&R, contracting of OM&R to other entities, or various combinations of ceasing, contracting, or continuing different OM&R functions.

3. The DEIS for OM&R of the project will be circulated for review and comment by Federal, State, and local government entities and by organizations and individuals known to have an interest in the project. Required coordination will be maintained with Federal and state agencies during preparation of the documents. The DEIS will address the effects of project operations of fish, wildlife, recreation, and cultural resources, and on socio-economics of the study area.

4. Currently there is no scoping meeting planned. Scoping of issues will come primarily from comments and letters received from the public and agencies through the years that the project has been operational and from required coordination.

5. It is estimated that the DEIS will be available for public review by October 1984.

ADDRESS: Questions about the proposed action may be addressed to: Mr. Roger Hamilton, Chief, Environmental Resource Branch, Fort Worth District, PO Box 17300, Fort Worth, Texas 76102. Telephone (817) 334-2095.

Dated: March 6, 1984.

Theodore G. Stroup,

Colonel, CE, District Engineer.

[FR Doc. 84-7006 Filed 3-14-84; 8:45 am]

BILLING CODE 3710-FR-M

Intent To Prepare a Revised Draft Environmental Impact Statement (RDEIS); Wright Patman, an Operational Reservoir Project

AGENCY: U.S. Army Corps of Engineers, DOD, Fort Worth District, Defense.

ACTION: Notice of intent to prepare a revised draft environmental impact statement (RDEIS).

SUMMARY:

1. Wright Patman Dam and Lake is an operational multiple purpose project located in Bowie, Cass, Morris, Red River, and Titus Counties of east Texas. Construction of Wright Patman Dam was completed in 1957 for the purposes of flood control, water supply, and recreation. In October 1979 a realignment of District boundaries transferred Operation, Maintenance, and Replacement (OM&R) responsibilities for Wright Patman Lake from New Orleans District to the Fort Worth District, U.S. Army Corps of Engineers. At the time of the boundary realignment, a DEIS had been prepared and coordinated with the public for OM&R of Wright Patman Lake. The proposed action for which the RDEIS is being prepared is the continued operation of the lake and dam; and maintenance of the reservoir, dam, and Federally-owned facilities of the project.

2. Alternatives to be considered include continuation of OM&R by the Corps of Engineers, cessation of OM&R, contracting of OM&R to other entities, or various combinations of ceasing, contracting, or continuing different OM&R functions.

3. The RDEIS for OM&R of the project will be circulated for review and comment by Federal, state, and local government entities and by organizations and individuals known to have an interest in the project. Required coordination will be maintained with Federal and state agencies during preparation of the document. Issues to be addressed will include the effects of operation of the project for flood control and water supply purposes on fish, wildlife, recreation, and cultural resources, as well as socio-economic effects.

4. Currently there is no scoping meeting planned. Scoping of issues will come primarily from comments and letters received from the public and agencies through the years that the project has been operational and required coordination.

5. It is estimated that the RDEIS will be available for public review by October 1984.

ADDRESS: Questions about the proposed action may be addressed to: Mr. Roger Hamilton, Chief, Environmental Resources Branch, Fort Worth District, PO Box 17300, Fort Worth, Texas 76102. Telephone (817) 334-2095.

Dated: March 6, 1984.

Theodore G. Stroup,

Colonel, CE, District Engineer.

[FR Doc. 84-7005 Filed 3-14-84; 8:45 am]

BILLING CODE 3710-FR-M

Preparation of a Draft Environmental Impact Statement; Northern Olympic Peninsula Shallow-Draft Navigation Study

AGENCY: U.S. Army Corps of Engineers, Seattle District, Defense.

ACTION: Notice of Intent to prepare a draft environmental impact statement (DEIS) for feasibility of a barge channel at Clallam Bay and a log ship channel and small boat basin at Neah Bay.

SUMMARY:

1. *Description of Actions.* The proposed actions conducted under the authority of Section 209 of the 1962 River and Harbor Act (Pub. L. 87-874) are to determine the feasibility of meeting the need for several medium-sized navigation and harbor facilities for existing and emerging commercial navigation along the Strait of Juan de Fuca. The feasibility study will identify the likelihood of Federal participation in development of a deep-draft navigation channel and small boat basin at Neah Bay and a wood chip barge loading channel at Clallam Bay. The Makah Indian Tribe would sponsor improvements at Neah Bay, and the Port of Port Angeles would sponsor

improvements at Clallam Bay. At Neah Bay, Washington, the two proposed actions are as follows:

a. Construction of a deep-draft navigation channel, approximately 1 mile in length, from the entrance to Neah Bay to floating log booms in midbay, permitting ship export of raw logs. Logs for export would be trucked to the log dump site, offloaded in the water and rafted and tugged to the floating log boom where they would be removed from the water by ship cranes. The Makah Indian Tribe, the local sponsor, will be responsible for construction of non-Federal features, including log boom moorage facilities and all necessary shoreside and water features involved in the preparation and transport of raw logs to the moored ships at midbay. Proposed Federal features include Corps of Engineers dredging of the navigation channel and associated turning basin and U.S. Coast Guard provisions for navigation aids. Open-water disposal of dredged material is proposed.

b. Construction of a small boat basin for commercial and recreational boats. Proposed Federal features include Corps of Engineers construction of a breakwater and navigation channel and dredging of a turning basin, as well as U.S. Coast Guard placement of navigation aids. As the project local sponsor, the Makah Indian Tribe is responsible for all non-Federal features, including construction of harbor facilities, moorage area dredging, and development of all shoreside harbor support features. Open-water disposal of dredged material is proposed.

At Clallam Bay, construction is proposed to provide for a barge channel for the export of wood chips. Proposed Federal action includes Corps of Engineers construction of a breakwater and channel and dredging of a turning basin, as well as U.S. Coast Guard placement of navigation aids. The Port of Port Angeles, the local sponsor, is responsible for barge berthing and storage area dredging, in addition to miscellaneous moorage and shoreside features involved in the preparation and transport of wood chips to the moored barges. Open-water disposal of dredge material is proposed.

2. *Alternatives.* Alternatives considered reasonable for Neah and Clallam Bays consist of no action, alternative harbor and channel locations, and alternative harbor and channel designs.

a. *No Action.* The no-action alternative for each bay signifies no assistance by the Corps of Engineers. The local sponsor would be responsible for all proposed project features. Provisions for U.S. Coast Guard navigation aids would depend upon agreements between the local sponsor and the U.S. Coast Guard.

b. *Alternative Locations.* The Makah Indian Tribe (local sponsor) evaluated alternative log ship channel and small boat basin locations within Neah Bay. Based upon tribal economic and engineering market feasibility studies, results of previous Corps of Engineers navigation project studies, environmental considerations, and public and agency concerns, midbay log ship navigation channel and Baada Point small boat basin sites were selected to be evaluated in detail during the proposed navigation feasibility study. At Clallam Bay, detailed evaluation of the location and size of the proposed barge channel will focus on the availability of backup property and unobstructed waterfront. The Port of Port Angeles (local sponsor) has evaluated these concerns and has recommended a site immediately east of Sekiu for the proposed project. Selection of this site in comparison to other Clallam Bay locations will be reevaluated during the scheduled feasibility study.

c. *Alternative Basin and Navigation Channel Designs.* At Neah and Clallam Bays, alternative project designs will be evaluated. Evaluations will include analysis of adequate channel dimensions based upon vessel maneuverability criteria, dredging/disposal methods and timing, local sponsor financial capability, timber market conditions, breakwater protection criteria (where applicable), and construction related impacts to fish and wildlife.

3. *Significant Issues.* Major environmental concerns to be analyzed in the study include loss of fish and wildlife habitat; water quality; water circulation; disposal of dredged material; and potential effects of the proposed actions on biota such as juvenile salmon, rockfish, waterfowl, marine mammals, endangered species and their associated resources. The project sponsors and the Corps of Engineers, with assistance from resource agencies and possibly others, will evaluate these concerns for presentation in the DEIS.

4. *Public Involvement.* A public scoping process will be undertaken to clarify issues of major concern and to identify studies that might be needed in order to analyze and evaluate project impacts and on which to determine mitigation needs. A scoping information package will be mailed to all those identified as having an interest in this action. A public scoping meeting or other meetings may be scheduled as needed.

5. *Other Environmental Review and Consultation Requirements.* The study is being coordinated with the U.S. Fish and Wildlife Service and will satisfy requirements of the Fish and Wildlife Coordination Act and Section 7(c) of the Endangered Species Act. Under requirements of the Clean Water Act (Pub. L. 92-500, as amended), a Section 404(b)(1) Evaluation will be prepared to evaluate potential impacts on the aquatic ecosystems resulting from discharges of dredge or fill material.

6. *DEIS Availability.* A DEIS for the proposed action is scheduled to be prepared and available for public and agency review in 1987.

ADDRESS: Questions and/or comments on this proposed action and DEIS should be directed to: Ms. Gail Arnold, Environmental Resources Section, U.S. Army Corps of Engineers, Seattle District, Post Office Box C-3755, Seattle, Washington 98124. Telephone: (206) 764-3624, (FTS) 399-3624.

Dated: March 8, 1984.

Norman C. Hintz,

Colonel, Corps of Engineers, District Engineer.

[FR Doc. 84-7007 Filed 3-14-84; 8:45 am]

BILLING CODE 3710-AR-M

DEPARTMENT OF EDUCATION

Asbestos Hazards School Safety Task Force; Meeting

AGENCY: Asbestos Hazards School Safety Task Force, Education.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Asbestos Hazards School Safety Task Force. This notice also describes the functions of the Task Force. Notice of these meetings is required under section 10(a)(2) of the Federal Advisory Committee Act.

DATE: April 5, 1984, 8:30 a.m.-5:00 p.m.

ADDRESS: U.S. Department of Education, 400 Maryland Avenue SW., Washington, D.C., Room 2189.

FOR FURTHER INFORMATION CONTACT: W. Stanley Kruger, State and Local Educational Programs, U.S. Department of Education, 400 Maryland Avenue SW., Washington, D.C. 20202, (202) 245-8506.

SUPPLEMENTARY INFORMATION: The Asbestos Hazards School Safety Task Force is established under Section 3 of the Asbestos School Hazard Detection and Control Act of 1980 (20 U.S.C. 3602).

The Task Force is established to compile medical, scientific, and technical information explaining the health and safety hazards associated with asbestos materials and the means of identifying, sampling, and testing materials suspected of emitting asbestos fibers, and to disseminate this information to State and local educational agencies in order to assist them in conducting their asbestos detection and control activities. The Task Force reviews any guidelines established by the Environmental Protection Agency for identifying those schools in which exposure to asbestos fibers constitutes a health problem and for taking appropriate corrective actions at such schools. The purpose of the review is to determine whether any modification of such guidelines should be recommended to the Secretary.

The meeting of the Task Force is open to the public. The proposed agenda includes:

1. Review of information needs of primary constituent groups in the educational community.

2. Review of information and technical assistance materials available for dissemination.

Records shall be kept of all Task Force proceedings, and are available for public inspection at the Department of Education, Office of Elementary and Secondary Education, between the hours of 9:30 and 5:00, Monday through Friday.

Lawrence F. Davenport,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 84-6934 Filed 3-14-84; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Energy Information Administration

Coordinating Subcommittee of the National Petroleum Council's Committee on Petroleum Inventories and Storage Capacity; Notice of Change

This notice is given to advise of the postponement of the meeting of the Coordinating Subcommittee of the National Petroleum Council's Committee on Petroleum Inventories and Storage Capacity (March 15–16, 1984) as published in the issue of February 29, 1984 (49 FR 7436).

The Coordinating Subcommittee will hold its meeting on March 21–22, 1984, starting at 9:00 a.m., at the Sohio Learning Center on the fifth floor of the Stouffer's Inn on the Square, 24 Public Square, Cleveland, Ohio.

Issued at Washington, D.C. on March 7, 1984.

Albert H. Linden, Jr.,

Deputy Administrator, Energy Information Administration.

[FR Doc. 84-6923 Filed 3-14-84; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPP-00173; PH-FRL 2545-1]

Scientific Advisory Panel; Reauthorization by Statute

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Scientific Advisory Panel (SAP), which was established by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) in 1975, was terminated by that Act in 1981. Subsequently, the SAP was reestablished in 1983 pursuant to the Federal Advisory Committee Act (FACA). On December 2, 1983, President Reagan signed into law new FIFRA amendments which reauthorize the SAP until September 30, 1987. This Notice provides for the continuation of the previous (FACA) Panel's membership pending expiration of membership terms.

FOR FURTHER INFORMATION CONTACT: By mail:

Philip H. Gray, Jr., Executive Secretary, FIFRA Scientific Advisory Panel (TS-766C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460.

Office location and telephone number: Rm. 1115B, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7096).

SUPPLEMENTARY INFORMATION: The statutory Scientific Advisory Panel was originally created on November 28, 1975, under section 25(d) of FIFRA, as amended by Pub. L. 94-140, Pub. L. 95-396 and Pub. L. 96-539. In accordance with this statute, the authorization for the Panel terminated on September 30, 1981. However EPA determined that it was in the public interest for the Agency to have the services of such a Panel in connection with the performance of duties imposed upon EPA by law. Therefore, the Administrator decided in March 1983 to exercise the authority provided under the Federal Advisory Committee Act (5 U.S.C. (App. I) 9(c)) and, pursuant to section 21(b) of FIFRA, reestablish the Panel. Inasmuch as the SAP was performing the same functions the statutory Panel was performing prior to the September 1981 expiration date, the new SAP was formed, and all its activities were conducted, as if the requirements of FIFRA section 25 (d) and (e) governed this new Panel. For example, public notice of nominees to the Panel, along with a request for public comments, appeared in the **Federal Register** of November 3, 1981 (46 FR 54637). All seven designees were selected from the original group of twelve nominees, of whom six were chosen by the National Institutes of Health (NIH) and six by the National Science Foundation (NSF).

On December 2, 1983, President Reagan signed into law Pub. L. 98-201, which provides for the reauthorization of the SAP under the FIFRA until September 30, 1987.

As before, the Panel will provide comments as to the impact on health and the environment of the following regulatory actions:

1. Notices of intent to cancel or reclassify registrations under section 6(b)(1) of FIFRA.

2. Notices of intent to hold a hearing to determine whether or not to cancel or reclassify registrations under section 6(b)(2) of FIFRA.

3. Emergency orders immediately suspending registration of a pesticide before notification of the registrants under section 6(c)(3) of FIFRA.

4. Regulations to be issued under section 25(a) of FIFRA.

The Administrator shall also solicit from the Panel comments, evaluations, and recommendations for operating guidelines to improve the effectiveness and quality of scientific analyses made by personnel of the EPA that lead to decisions by the Administrator.

The comments, evaluations, and recommendations of the Panel and the response of the Administrator shall be published in the **Federal Register.**

The Administrator also may use the Panel to provide peer review of major scientific studies under section 25(e) of FIFRA.

Copies of the Panel Charter will be filed with appropriate standing committees of the Congress and the Library of Congress.

The Agency has decided that, rather than attempt to recreate the Panel anew with totally different personnel, it will continue the SAP with its current membership pending expiration of membership terms (see below). EPA has made this decision in order to avoid disruption of the work of the SAP, and to provide for institutional continuity in its deliberations. The Agency believes it has the authority to take such a course of action due to the fact that pre-1981

statutory requirements, essentially not changed in the 1983 amendments, were fully met in designating the present SAP membership. Both NIH and NSF have been consulted, and both agencies have concurred in the EPA plan.

The names, affiliations, and terms of office of the designees are as follows: Ernest Hodgson, Ph. D., Professor, Department of Entomology, North Carolina State University, Raleigh, North Carolina 27607, October 1, 1982 through September 30, 1985; Robert Hollingworth, Ph. D., Professor, Department of Entomology, Purdue University, West Lafayette, Indiana 47907, October 1, 1982 through September 30, 1984; Wendell Warren Kilgore, Ph. D., Professor, Department of Environmental Toxicology, University of California, Davis, California 95616, October 1, 1982 through September 30, 1986, Robert Everett Menzer, Ph. D., Professor, Department of Entomology, University of Maryland, College Park, Maryland 20742, October 1, 1982 through September 30, 1985; Rosmarie von Rumker, Sc.D., Managing Partner, RvR Consultants, P.O. Box 533, Shawnee Mission, Kansas 66201, January 10, 1982 through September 30, 1986; Stephen Stanley Sternberg, M.D., Memorial Sloan-Kettering Cancer Center, 1275 York Avenue, New York, New York 10021, October 1, 1982 through September 30, 1984; and Christopher Foster Wilkinson, Ph. D., Professor, Department of Entomology, Cornell University, Ithaca, New York 14853, October 1, 1982 through September 30, 1985. Biographic data on the seven designees may be obtained by consulting the November 3, 1981, **Federal Register** notice.

It will be noted that the terms of two of the members Drs. Hollingworth and Sternberg, are scheduled to expire September 30, 1984. The Agency will shortly request NSF and NIH to submit lists of nominees to replace these two scientists on the Panel.

Meetings of the Scientific Advisory Panel are always announced in the **Federal Register** at least 15 days prior to each meeting. When a definite day and place for the next meeting have been decided upon, the appropriate announcement will appear in the **Federal Register.**

Dated: March 8, 1984.

William D. Ruckelshaus,

Administrator.

[FR Doc. 84-6924 Filed 3-24-84; 8:45 am]

BILLING CODE 6560-50-M

[WH-FRL-25-22-3]

Reallotment of Funds Under Wastewater Treatment Works Construction Grants Program

Correction

In FR Doc. 84-3381, beginning on page 4982 in the issue of Thursday, February 9, 1984, the reallotment figure for Maine in the table at the end of the third column of page 4982 should have read "89,000" rather than "98,000".

BILLING CODE 1505-01-M

EXPORT-IMPORT BANK OF THE UNITED STATES

Open Meeting of the Advisory Committee of the Export-Import Bank of the United States

Summary: The Advisory Committee was established by Pub. L. 98-181, November 30, 1983, to advise the Export-Import Bank on its programs and to provide comments for inclusion in the reports of the Export-Import Bank to the United States Congress.

Time and Place: April 5, 1984 from 9:00 a.m. to 12 noon. The meeting will be held in Room 1143, 811 Vermont Avenue, NW., Washington, D.C. 20571.

Agenda: The meeting agenda includes: (1) Discussion of the annual competitiveness report and the annual operations report of the Export-Import Bank to the United States Congress; (2) staff briefings on major policy issues within the areas of organization and structure of the Export-Import Bank, its Charter and recent revisions, direct credit and financial guarantee program, supplier credit programs, small business and marketing program; and (3) other business as proposed by the Advisory Committee.

Public Participation: The meeting will be open to public participation; and the last 20 minutes will be set aside for oral questions or comments. Members of the public may also file written statement before or after the meeting. In order to permit the Export-Import Bank to arrange suitable accommodations, members of the public who plan to attend the meeting should notify Joan P. Harris, Room 1207, 811 Vermont Avenue, NW., Washington, D.C. 20571, (202) 566-8871, not later than April 2, 1984.

Further Information: For further information, contact Joan P. Harris, Room 1207, 811 Vermont Avenue, NW., Washington, D.C. 20571, (202) 566-8871.

Warren W. Glick,

General Counsel.

[FR Doc. 84-6943 Filed 3-14-84; 8:45 am]

BILLING CODE 6690-01-M

FEDERAL RESERVE SYSTEM

Chester State Bancshares, Inc.; Acquisition of Bank Shares by a Bank Holding Company

The company listed in this notice has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire voting shares or assets of a bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated. With respect to the application, interested persons may express their views in writing to the address indicated. Any comment on the application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

A. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Chester State Bancshares, Inc.*, Chester, Texas; to acquire at least 60.8 percent of the voting shares or assets of First State Bank, Colmesneil, Texas. Comments on this application must be received not later than April 9, 1984.

Board of Governors of the Federal Reserve System, March 9, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-6928 Filed 3-14-84; 8:45 am]

BILLING CODE 6210-01-M

Fort Rucker Bancshares, Inc.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (49 FR 794) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications

are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than April 6, 1984.

A. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Fort Rucker Bancshares, Inc.*, Chillicothe, Missouri; to become a bank holding company by acquiring 80 percent of the voting shares of Fort Rucker National Bank, Fort Rucker, Alabama.

B. **Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *CSB Bancorp*, Petersburg, Indiana; to become a bank holding company by acquiring at least 80 percent of the voting shares of The Citizens State Bank of Petersburg, Petersburg, Indiana.

2. *Farmers Union Bancshares, Inc.*, Ripley, Tennessee; to become a bank holding company by acquiring at least 80 percent of the voting shares of Farmers Union Bank, Ripley, Tennessee.

C. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Jefferson Bancshares, Inc.*, San Antonio, Texas; to acquire 100 percent of the voting shares or assets of Leon Valley Bank (*de novo*), San Antonio, Texas.

D. **Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *Griffin Holdings, Inc.*, Los Angeles, California; to become a bank holding company by acquiring 100 percent of the voting shares of First Women's Bank of California, Los Angeles, California.

Board of Governors of the Federal Reserve System, March 9, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-6930 Filed 3-14-84; 8:45 am]

BILLING CODE 6210-01-M

NTC Corp.; Formation of a Bank Holding Company

The company listed in this notice has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring voting shares or assets of a bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated. With respect to the application, interested persons may express their views in writing to the address indicated. Any comment on the application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

A. **Federal Reserve Bank of Boston** (Richard E. Randall, Vice President) 600 Atlantic Avenue, Boston, Massachusetts 02106:

1. *NTC Corp.*, Nashua, New Hampshire; to become a bank holding company by acquiring 80 percent or more of the voting shares of Nashua Trust Company, Nashua, New Hampshire. Comments on this application must be received not later than March 30, 1984.

Board of Governors of the Federal Reserve System, March 9, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-6929 Filed 3-14-84; 8:45 am]

BILLING CODE 6210-01-M

The Hongkong and Shanghai Banking Corp., et al.; Applications To Engage de Novo in Permissible Nonbanking Activities

The companies listed in this notice have filed an application under § 225.23(a)(1) of the Board's Regulation Y (49 FR 794) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (49 FR 794) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 4, 1984.

A. **Federal Reserve Bank of New York** (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *The Hongkong and Shanghai Banking Corporation*, Hong Kong; Kellett, N.V. Curacao, Netherlands Antilles; HSBC Holdings, B.V., Amsterdam, The Netherlands; and Marine Midland Banks, Inc., Buffalo, New York; to engage *de novo* through their subsidiary Marine Midland Consumer Credit Corporation, in the activities of making, acquiring, and servicing loans and other extensions of credit for its own account or for the account of others, such as are made by consumer and commercial finance companies; and leasing personal property and acting as agent, broker and advisor in leasing such property.

B. **Federal Reserve Bank of Cleveland** (Lee S. Adams, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *The Exchange Financial Corporation*, Mt. Sterling, Kentucky; to engage *de novo* through its subsidiary Exchange Data Corporation, Mt.

Sterling, Kentucky, in the activities of providing all the necessary data processing and data transmission services, data bases or facilities for the internal operations of the Exchange Financial Corporation, a one-bank holding company and its subsidiaries, including but not limited to The Exchange Bank of Kentucky, a banking corporation organized under the laws of the Commonwealth of Kentucky. Also, the exchange Data Corporation will provide other individuals and businesses with data processing and transmissions services, facilities, data bases or access to such services, facilities or data base, said data to encompass financial, banking or economic data only. These activities would be provided in the Commonwealth of Kentucky.

C. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Alabanc, Incorporated,* Wadley, Alabama; to engage *de novo* in the activities of consumer, commercial and real estate lending pursuant to Section 225.5(b)(1) of Regulation Y. This actitivity will be provided in the states of Alabama and Georgia.

D. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Waunakee Bank Shares, Inc.,* Waunakee, Wisconsin; to engage *de novo* in providing general insurance activities in a community with a population not exceeding 5,000. These activities will be provided in Waunakee, Wisconsin, and the surrounding area. Comments on this application must be received not later than April 3, 1984.

Board of Governors of the Federal Reserve System, March 9, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-6931 Filed 3-14-84; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

Agency Information Collections Under Review by the Office of Management and Budget

AGENCY: Office of Policy and Management Systems, GSA.

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the General Services Administration (GSA) plans to request the Office of Management and Budget (OMB) to review and approve three existing information collections in use without OMB control numbers.

Comment date: Submit comments on these collections before March 30, 1984.

ADDRESSES: Send comments to Franklin S. Reeder, GSA Desk Officer, Room 3235, NEOB, Washington, DC 20503, and to Kathleen M. Lannon, Acting GSA Clearance Officer, General Services Administration (ATRAI), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Victoria Moss on 202-523-4799, Office of Acquisition Policy.

SUPPLEMENTARY INFORMATION: 1. The following describes these collections by title, purpose and annual burden (respondents, responses, hours).

a. *GSAR, Part 510, Specifications, Standards and Other Purchase Descriptions.* This provision requires offerors for contracts containing a brand name or equal purchase description to identify the proposed product instead of the brand name product by manufacturer's name, brand and number. This is necessary to evaluate firms for contract awards (1,067; 3,201; 533).

b. *GSAR, Part 512, Contact Delivery or Performance (Nature of Shipment, Parts and Service, Time and Delivery (Alternate VII)).*

(1) The nature of shipment clause requires supply contractors to furnish information regarding an order placed under contracts. This ensures that necessary arrangements are made for storage or use upon delivery (107; 321; 80).

(2) The parts and service clause requires offerors to certify the availability of parts and services from dealers or distributors at overseas destinations or that such facilities will be established. It also requires information on the nearest service facility and the value of spare parts in inventory (54; 162; 162).

(3) The time and delivery (alternate VII) clause requires offerors to establish substitute delivery schedules for supplies and multiple awards if unable to meet the Government's timetables (1,007; 3,021; 252).

c. *GSAR, Part 523, Environment, Conservation, and Occupational Safety (Hazardous Material).* This clause requires a contractor to identify those items to be delivered under a contract which are hazardous substances and to provide specific information concerning the shipment of the material (1,590; 1,590; 530).

2. *Obtaining copies of proposals.* Requestors may obtain copies of the proposals from the Directives and Reports Management Branch (ATRAI), Room 3004, GS Building, Washington, DC 20405, telephone (202-566-0666).

Dated: March 6, 1984.

William W. Hiebert,

Acting Director, Information Management Division.

[FR Doc. 84-6905 Filed 3-14-84; 8:45 am]

BILLING CODE 6820-34-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Assistant Secretary for Health

Office of Disease Prevention and Health Promotion; Cooperative Agreements To Support National Health Promotion Programs

The Office of Disease Prevention and Health Promotion, announces the availability of funds for Fiscal Year 1984 for cooperative agreements to support school and worksite health promotion programs. This network is to be part of the National Health Promotion Program, specified in the Catalog of Federal Domestic Assistance, Number 13.990. Authorization is under sections 1701 and 301 of the Public Health Service Act, as amended.

The purpose of the agreements is to support national coordinated activities for influencing local efforts in the conduct of effective health promotion programs in school and worksite settings. In the fall of 1980, the Department of Health and Human Services published the document *Promoting Health/Preventing Disease: Objectives for the Nation,* which set out specific steps for the Nation to take in order to reach the goals outlines in the 1979 publication *Healthy People: The Surgeon General's Report on Health Promotion and Disease Prevention.* In order for many of these *Objectives for the Nation* to be met, individuals who choose to adopt healthier habits of living will need to have the opportunity to be taught to reduce the risks to their health, and what is needed to do this.

This will depend in large measure on the ability of national organizations with local affiliates to influence the persons they serve regarding the use of relevant health promotion/risk reduction skills. The purpose of the cooperative agreements will be to assist national public and private agencies and organizations to provide support to their local affiliates to conduct health promotion programs. The project will be conducted with substantial involvement

of the Office of Disease Prevention and Health Promotion.

It is expected that approximately $100,000 will be available in Fiscal Year 1984 for two cooperative agreements. One will be awarded to a national organization reaching schools and one to a national organization reaching worksites. While it is recognized that the project period may be for more than one year, the agreements will be for a period of 12 months with the possibility of continuation based on the availability of funds and program performance. Projected initiation date is by the close of Fiscal Year 1984. Any public or private non-profit national entity is eligible to apply. Funding criteria will include the following factors:

1. Organizational goals consistent with the National Health Promotion Program.

2. A *Nationwide* network of local affiliates through which health information and health promotion resources can be decentralized.

3. Direct or proposed staff expertise in health promotion programs and/or activities dealing with schools or worksites.

4. Direct or related administrative capability and/or experience to participate in the development of national health promotion programs.

5. Proposal in response to the program announcement detailing ways the organization could participate in the activities and efforts of a National Health Promotion Program, including cost proposal.

Applications must be completed and received by the Office of Disease Prevention and Health Promotion no later than 45 calendar days from the date of publication of this notice. For those applications which are mailed, they must be postmarked no later than 45 calendar days from the date of publication of this notice. Applications are subject to review as governed by Executive Order 12372. Late applications will not be accepted for review.

Guidelines, information, and applications may be obtained from the Program Management Officer, Office of Disease Prevention and Health Promotion, U.S. Public Health Service, Room 2132 Switzer Bldg., 330 C Street, SW., Washington, D.C. 20201.

Dated: March 7, 1984.

J. M. McGinnis,

Deputy Assistant Secretary for Health (Disease Prevention and Health Promotion).

[FR Doc. 84-6906 Filed 3-14-84; 8:45 am]

BILLING CODE 4160-17-M

Office of the Secretary

Social Security Administration

Social Security Demonstration Project; Continuing Supplemental Security Income Benefits or SSI Status for Possible Medicaid Eligibility to Severely Impaired Individuals Who Work

I hereby determine and announce a demonstration project for continuing Supplemental Security Income (SSI) benefits to certain disabled recipients who are working and for continuing Medicaid eligibility to certain disabled and blind recipients whose SSI benefits were discontinued because of earnings. This project is for the period January 1, 1984–December 31, 1984.

Authority

This project is being authorized under the provisions of section 1110 of the Social Security Act (the Act).

For Additional Information Contact

Mrs. Theresa Nowinski-Leiter, Office of Supplemental Security Income, Social Security Administration, 3-R-2 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone (301) 594-4387.

Purpose

The purpose of this demonstration project is to obtain more data to decide whether permitting work by severely impaired recipients while continuing their SSI benefits and/or Medicaid eligibility status is an incentive for these recipients to begin or continue with work. This project tests whether providing extended assistance to recipients attempting to become self-supporting will result in reduction or elimination of the need for SSI benefits and Medicaid coverage for these recipients. Consequently, this project will promote the objectives of title XVI of the Act by obtaining the data to test this hypothesis. This demonstration project is almost identical to that authorized by section 1619 of the Act which also had the purpose of testing whether providing extended assistance encouraged work efforts. However, relatively few recipients participated in this statutorily mandated 3-year project and, consequently, neither the Social Security Administration nor the Health Care Financing Administration was able to obtain the needed data to make a satisfactory evaluation of this hypothesis. Consequently, additional data from this new project is needed to supplement the data obtained from the section 1619 project which expired on December 31, 1983.

Background

The 3-year work incentive demonstration project under section 1619 of the Act was authorized by section 201(a) of Pub. L. 96-265—"The Social Security Disability Amendments of 1980"—enacted on June 9, 1980. Under section 1619(a) of the Act, an individual with a disabling impairment who lost benefits because he or she performed work demonstrating the ability to engage in substantial gainful activity (SGA) could become eligible for special SSI cash benefits. These special benefits were computed in the same way as the SSI benefits which were paid to aged, blind and disabled SSI recipients. They could be augmented by State supplementary payments if a State elected to do so.

An individual qualified for special SSI cash benefits under section 1619(a) if—

(1) In the month before the month for which eligibility was being determined he or she was eligible for regular SSI benefits, special SSI cash benefits, or federally administered State supplementary payments; and

(2) In the month for which eligibility was being determined he or she had a disabling physical or mental impairment, but, because he or she had engaged in SGA, he or she was not eligible for regular SSI benefits based on disability.

A recipient who received special SSI cash benefits maintained his or her eligibility for Medicaid in a State in which all SSI recipients receive Medicaid. A recipient with income (which could include earnings) that reduced his or her Federal SSI benefits to zero also lost his or her eligibility for the special SSI cash benefits but could retain Medicaid eligibility. Under section 1619(b) of the Act, a beneficiary who was a severely impaired or blind individual (under age 65) and who was eligible for regular SSI benefits, special SSI cash benefits, or State supplementary payments in the month before the first month for which eligibility is being determined, could acquire a special SSI eligibility status for purposes of Medicaid services if he or she met certain conditions. These conditions were that he or she: (1) Continued to be blind or disabled; (2) would be eligible for cash benefits but for these earnings; (3) would be seriously hindered from working if he or she lost Medicaid coverage; and (4) did not have earnings from work that were reasonably equivalent to the total of SSI benefits, State supplementary payments and Medicaid that he or she would have received but for these earnings.

Demonstration Project Provisions

Those individuals who on December 31, 1983 were (1) SSI recipients, (2) persons whose SSI benefits were suspended (but not terminated), or (3) eligible persons under the section 1619 project may become eligible for special SSI payments under this project. Individuals who become eligible for SSI benefits after December 31, 1983 will not be covered under this project since we will be able to collect adequate data to determine the effectiveness of the project without expanding coverage to those newly eligible after that date. A State under this project has the option of providing supplementary payments to eligible individuals, but the State will bear the cost of the supplements it chooses to provide. Under this project, disabled SSI recipients engaging in SGA retain SSI eligibility and their benefits are computed in the same way as the regular SSI benefits which are paid to aged and blind recipients and disabled recipients not engaged in SGA. Also, disabled and blind recipients who would be eligible for benefits except for their excess earned income will be paid a special SSI benefit of $1.00 if they meet the conditions specified in section 1619(b). In most States receipt of this special SSI benefit will enable these individuals to retain their Medicaid eligibility. In those States that cover all SSI recipients under their Medicaid plans, these individuals will be covered by virtue of those State plan provisions, and the Federal government will match State expenditures on behalf of those individuals. In those States that use more restrictive requirements for Medicaid eligibility for blind or disabled individuals than SSI, recipients of the special $1.00 payment will be covered for Medicaid purposes in the same manner as a recipient of a regular SSI payment. Therefore, receipt of the special $1.00 payment will not necessarily confer Medicaid eligibility.

The following regulatory sections implementing section 1619 of the Act will continue to apply to this 1-year demonstration project: 20 CFR 416.260, 416.261, 416.262, 416.263, 416.264, 416.265, 416.266, 416.267, 416.268, 416.269, 416.1332, 416.1402, 416.2001, and 416.2112.

The recipient's consent for participating in this demonstration project is needed to satisfy a requirement in section 1110(b) of the Act. Consequently, a recipient's consent providing that the recipient's participation is voluntary and that he or she can revoke participation must be obtained in order for him or her to be eligible under the provisions of this project.

Waiver

We are waiving the following provisions of the Act and regulations in order to conduct this project:

1. Section 1614(a)(3) of the Act and 20 CFR 416.994 of the regulations which prevent continued SSI eligibility for individuals engaging in SGA;

2. Section 1611(e)(4) of the Act which limits the period for payment of individuals engaging in SGA; and

3. Section 1611(a) of the Act and 20 CFR 416.510 and 416.1111 of the regulations which place financial limits on receipt of payments.

Paperwork Reduction Act

The reporting/recordkeeping requirements found in 20 CFR 416.268 were approved by OMB under OMB number 0960-0267. This approval will expire by August 31, 1984. However, no other provisions of this proposal impose reporting/recordkeeping requirements.

(Catalog of Federal Domestic Assistance Program No. 13.807—Supplemental Security Income; No. 13.812—Assistance Payment Research)

Dated: March 7, 1984.

Martha A. McSteen,

Acting Commissioner of Social Security.

Approved: March 9, 1984.

Margaret M. Heckler,

Secretary of Health and Human Services.

[FR Doc. 84-6922 Filed 3-14-84; 8:45 am]

BILLING CODE 4190-11-M

Public Health Service

Food and Drug Administration; Statement of Organization, Functions, and Delegations of Authority

Correction

In FR Doc. 84-6228 beginning on page 8679 in the issue of Thursday, March 8, 1984, make the following correction.

On page 8679, in the first line of the third paragraph, "(FHAH)" should have read "(HFAH)".

Billing Code 1505-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

School Construction Priorities List, FY 1985

This notice is published in exercise of authority delegated by the Secretary of Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

The school construction priority list has been revised for Fiscal Year 1985 as required by Pub. L. 95-561; 92 Stat. 2319. Section 1125(o) requires that: "At the time any budget request for school construction is presented, the Secretary shall publish in the **Federal Register** and submit with the budget request the current list of all school construction priorities."

This notice for FY 1985 provides the current revised list of proposed construction projects.

Construction of these projects is subject to the availability of funds and/or the status of currently committed construction projects approved by Congress. Committed projects currently are Western Cheyenne River Consolidated School, SD, Papago High School, AZ, and Two Eagle River Indian High School, MT, which are being designed.

The current list of school construction projects applies to FY 1985 based upon the Bureau's criteria for ranking projects using "unhoused" students. A revised list is developed and published for each succeeding fiscal year.

Further information regarding this list or the ranking process may be obtained from the Acting Chief, School Facilities Staff, Bureau of Indian Affairs, P.O. Box 2147, Albuquerque, NM 87103-2147, Telephone: (505) 766-2985.

Kenneth Smith,

Assistant Secretary—Indian Affairs.

BIA, Contract and Previously Private School Construction Ranking—FY 1985

1. Rocky Boy High School, MT.
2. Coeur d'Alene Elementary School, ID.
3. Paschal-Sherman Boarding School, WA.
4. Crow Creek High School, SD.
5. Lac Courte Oreilles Ojibwa School, WI.

[FR Doc. 84-6940 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-02-M

Fish and Wildlife Service

Information Collection Requirement Submitted to OMB for Review

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget (OMB) for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement and related forms and explanatory material may be obtained by contacting the Service's clearance officer at the phone number

listed below. Comments and suggestions on the requirement should be made directly to the Service clearance officer and the OMB Interior Desk Officer, Washington, D.C. 20503, telephone 202–395–7313.

Title: Application for Refuge Fur Trapping Permit
Abstract: Information is needed to enable the Service to evaluate the qualifications and conclude the eligibility of applicants who wish to trap on lands of the National Wildlife Refuge System
Bureau Form No.: 3–2001
Frequency: Annually
Description of Respondents: Individuals and businesses
Annual Responses: 3,000
Annual Burden Hours: 1,000
Service Clearance Officer: Arthur J. Ferguson, 202–653–7499.

Dated: March 5, 1984.

Ronald E. Lambertson,

Associate Director, Wildlife Resources.

[FR Doc. 84–7003 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–07–M

Bureau of Land Management

[M 38858]

Montana; Conveyance of Public Land

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice of Conveyance of Public Land in Lewis and Clark County, Montana.

SUMMARY: Notice is hereby given that pursuant to section 203 of the Act of October 21, 1976 (43 U.S.C. 1713 (1976)), the following described land was conveyed to Orlando W. and Jane J. Stevens:

Principal Meridian, Montana

T. 10 N., R. 4 W.,
Sec. 36, Tract 39.
Containing 0.37 acre.

The purpose of this notice is to inform State and local governmental officials and other interested parties of the conveyance of the land to the Stevens.

FOR FURTHER INFORMATION CONTACT: Ed Croteau, Montana State Office, Phone 406–657–6082.

Shirley V. Heffner,

Acting Chief, Lands Adjudication Section.

March 9, 1984.

[FR Doc. 84–6898 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–84–M

Land Resource Management; Montana

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice of filing of plat of survey.

SUMMARY: Plats of survey of the lands described below accepted February 15, 1984, and February 22, 1984, will be officially filed in the Montana State Office effective 8 a.m. on May 7, 1984.

Principal Meridian, Montana

T. 28 N., R. 27 E.

The supplemental plat showing a subdivision of original Lot 1, Section 19, Township 28 North, Range 27 East, Principal Meridian, Montana, is based upon the plat approved October 16, 1895. The area described is in Phillips County.

This plat was prepared to meet certain administrative needs of the Bureau of Land Management.

T. 8 N., R. 3 E.

The supplemental plat of Section 2, Township 8 North, Range 3 East, Principal Meridian, Montana, shows amended lottings created by the segregation of Homestead Entry Survey Nos. 519, 520, 521, and 524, accepted November 1, 1916, November 9, 1916, November 1, 1916 and November 1, 1916 respectively, and Patent Nos. 700656 and 937513, dated July 29, 1919, and May 3, 1924, respectively. The area described is in Broadwater County.

The plat was prepared at the request of the Butte District Office to meet certain administrative needs of the Bureau of Land Management.

EFFECTIVE DATE: May 7, 1984.

FOR FURTHER INFORMATION CONTACT: Bureau of Land Management, 222 North 32nd Street, P.O. Box 36800, Billings, Montana 59107.

Dated: March 6, 1984.

Linda M. Wagner,

Chief, Branch of Records.

[FR Doc. 84–6897 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–DN–M

[N–38440]

Nevada; Conveyance

March 6, 1984.

Notice is hereby given that, pursuant to the Act of December 23, 1980 (94 Stat. 3381; 43 U.S.C. 1701), Ronaldo M. Tiberti, et al of Las Vegas, Nevada have purchased, by competitive sale, public lands in Clark County described as:

Mount Diablo Meridian, Nevada

T. 20 S., R. 60 E.,
Sec. 27, E½NW¼NE¼SE¼, NW¼NW¼NE¼SE¼.
Containing 7.5 acres.

The purpose of this notice is to inform the public and interested State and local government officials of the issuance of a conveyance document to Ronaldo M. Tiberti, et al.

Wm. J. Malencik,

Deputy State Director, Operations.

[FR Doc. 84–6954 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–HC–M

[N–38201]

Nevada; Conveyance

March 6, 1984.

Notice is hereby given that, pursuant to the Act of December 23, 1980 (94 Stat. 3381; 43 U.S.C. 1701), Ronald Reiss, Las Vegas, Nevada has purchased, by competitive sale, public lands in Clark County described as:

Mount Diablo Meridian, Nevada

T. 21 S., R. 60 E.,
Sec. 3, Lot 77.
Containing 5.33 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the issuance of a conveyance document to Ronald Reiss, Trustee.

Wm. J. Malencik,

Deputy State Director, Operations.

[FR Doc. 84–6955 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–HC–M

[N–38091, N–38092]

Nevada; Conveyance

March 6, 1984.

Notice is hereby given that, pursuant to the Act of December 23, 1980 (94 Stat. 3381; 43 U.S.C. 1701), Frontier Savings Association of Las Vegas, Nevada has purchased, by competitive sale, public lands in Clark County described as:

Mount Diablo Meridian, Nevada

T. 20 S., R. 60 E.,
Sec. 22, NE¼NW¼NW¼, E½NW¼NW¼NW¼, SW¼NW¼NW¼NW¼, SW¼NW¼NW¼, NW¼SW¼NW¼.
Containing 37.5 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the issuance of a conveyance document to Frontier Savings Association.

Wm. J. Malencik,

Deputy State Director, Operations.

[FR Doc. 84–6956 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–HC–M

[N-38759]

Nevada; Conveyance

March 6, 1984.

Notice is hereby given that, pursuant to the Act of October 21, 1976 (90 Stat. 2750; 43 U.S.C. 1713), Michael B. Stewart, Yerington, Nevada, has purchased, by noncompetitive sale, public lands in Washoe County described as:

Mount Diablo Meridian, Nevada

T. 30 N., R. 22 E.,
Sec. 13, E½E½;
Sec. 24, E½NE¼.
Containing 240.00 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the issuance of a conveyance document to Michael B. Stewart.

Wm. J. Malencik,
Deputy State Director, Operations.

[FR Doc. 84-6957 Filed 3-14-84; 8:45 am]
BILLING CODE 4310-HC-M

[N-38116, N-38116-A]

Nevada; Conveyance

March 6, 1984.

Notice is hereby given that, pursuant to the Act of December 23, 1980 (94 Stat. 3381; 43 U.S.C. 1701) and the Act of October 21, 1976 (90 Stat. 2757; 43 U.S.C. 1719), Lewis Homes of Nevada, Las Vegas, Nevada, has purchased, by competitive sale, public lands in Clark County described as:

Mount Diablo Meridian, Nevada

T. 21 S., R. 60 E.,
Sec. 26, NE¼SE¼NW¼, E½NW¼SE¼NW¼.
Containing 15.00 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the issuance of a conveyance document to Lewis Homes of Nevada.

Wm. J. Malencik,
Deputy State Director, Operations.

[FR Doc. 84-6958 Filed 3-14-84; 8:45 am]
BILLING CODE 4310-HC-M

[N-38096, N-38096-A]

Nevada; Conveyance

Notice is hereby given that, pursuant to the Act of December 23, 1980, 94 Stat. 3381; 43 U.S.C. 1701 and the Act of October 21, 1976 (90 Stat. 2757; 43 U.S.C. 1719), Foothill Investment Company and Richard H. Plaster of Las Vegas, Nevada have purchased, by competitive sale, public lands in Clark County described as:

Mount Diablo Meridian, Nevada

T. 20 S., R. 60 E.,
Sec. 22, SE¼SW¼.
Containing 40 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the issuance of a conveyance document to Foothill Investment Company and Richard H. Plaster.

Wm. J. Malencik,
Deputy State Director, Operations.

[FR Doc. 84-6959 Filed 3-14-84; 8:45 am]
BILLING CODE 4310-HC-M

[N-38095, N-38099, N-38100, N-38101, N-38102]

Nevada; Conveyance

March 8, 1984.

Notice is hereby given that, pursuant to the Act of December 23, 1980 (94 Stat. 3381; 43 U.S.C. 1701), Thomas T. Beam, Las Vegas, Nevada has purchased, by competitive sale, public lands in Clark County described as:

Mount Diablo Meridian, Nevada

T. 20 S., R. 60 E.,
Sec. 22, SW¼SW¼;
Sec. 27, NW¼NW¼, N½SW¼NW¼, NE¼SW¼NE¼SW¼, N½SE¼NE¼SW¼, N½NE¼NW¼SW¼, NE¼NW¼NW¼SW¼.
Containing 115.00 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the issuance of a conveyance document to Thomas T. Beam.

Wm. J. Malencik,
Deputy State Director, Operations.

[FR Doc. 84-6960 Filed 3-14-84; 8:45 am]
BILLING CODE 4310-HC-M

[N-38104/N-38104-A, N-38105/N-38105-A]

Nevada; Conveyance

March 7, 1984.

Notice is hereby given that, pursuant to the Act of December 23, 1980 (94 Stat. 3381; 43 U.S.C. 1701) and the Act of October 21, 1976 (90 Stat. 2757; 43 U.S.C. 1719), Twin Lakes Baptist Church, Las Vegas, Nevada has purchased, by competitive sale, public lands in Clark County described as:

Mount Diablo Meridian, Nevada

T. 20 S., R. 60 E.,

Sec. 27, SE¼NE¼SW¼SE¼, E½SW¼SE¼SE¼.
Containing 7.5 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the issuance of a conveyance document to Twin Lakes Baptist Church.

Wm. J. Malencik,
Deputy State Director, Operations.

[FR Doc. 84-6961 Filed 3-14-84; 8:45 am]
BILLING CODE 4310-HC-M

[OR-35130 WA]

Washington; Conveyance

Notice is hereby given that, pursuant to section 203 of the Act of October 21, 1976 (90 Stat. 2743, 2750; 43 U.S.C. 1701, 1713), the following described public land in Okanogan County, was purchased by non-competitive sale and conveyed to the party shown:

Montezuma Investments
6430 S. Sprague
Tacoma, WA 98409

Willamette Meridian, Washington

T. 38 N., R. 25 E.,
Sec. 4, lots 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18 and 20;
Sec. 5, lots 7, 8, 9, 10 and 15.
T. 39 N., R. 25 E.,
Sec. 33, lots 7, 8, 11 and 12.

The purpose of this Notice is to inform the public and interested State and local governmental officials of the issuance of the conveyance document to Montezuma Investments.

Dated: March 9, 1984.

Harold A. Berends,
Chief, Branch of Lands and Minerals Operations.

[FR Doc. 84-6962 Filed 3-14-84; 8:45 am]
BILLING CODE 4310-33-M

Oregon, Notice of Realty Action; Recreation and Public Purposes Classification and Lease of Public Lands in Harney County, Oregon

The following described lands have been examined and classified as suitable for lease or sale under the Recreation and Public Purposes Act of June 14, 1926, as amended (43 U.S.C. 869 et. seq.).

Harney County, Oregon

T. 27 S., R. 31 E. W.M.,
Sec. 2, lot 2 (a portion thereof).

The described lands, comprising 10.7 (±) acres, are being offered by lease to Sod House School District No. 32, for School House and related facilities.

This Decision/Notice is based on the following reason:

1. The lands have been found to be valuable for public purposes and recreational uses.

2. The land is not of National significance and not essential to any Bureau of Land Management program.

3. The proposed use is in conformance with existing Land Use Plan.

4. The proposed action will have no significant or controversial environmental effects on the human and natural environment.

5. Leasing of the lands to the School District will serve important public objectives, i.e., provide lands for an existing school building, threatened by rising flood levels, in Harney County.

6. The classification, lease and/or patenting of the land to the District is in conformance with the Secretary of the Interior's "Good Neighbor Program".

The classification and granting of the lease for a period of 1 year with the option to purchase/patent the land will not be adverse to any known public or private interests.

Classification for lease to the Sod House School District, provisions of the above cited authority segregates the land from all appropriations, including locations under the mining laws, except as to applications under the Recreation and Public Purposes Act.

The Recreation and Public Purposes Application is consistent with Bureau of Land Management policies and planning and has been discussed with state and local officials.

Detailed information concerning this Recreation and Public Purposes Application, including the environmental assessment record, land report, terms and conditions and special stipulations included in the lease is available for review at the District Office, 74 South Alvord, Burns, OR 97720.

Petition for classification OR 36786 is approved as to the land described above.

Name of the Petitioner: Sod House School District No. 32, by its authorized officer.

Type of Petition: Recreation and Public Purposes under the Recreation and Public Purposes Act of June 14, 1926, as amended.

Interested parties may submit comments to the District Manager, Bureau of Land Management, 74 S. Alvord, Burns, Oregon 97720. Any adverse comments will be evaluated by the State Director, who may vacate or modify this realty action and issue a Final Determination. In the absence of any action by the State Director this realty action will become the Final Determination of this Department.

Dated: March 7, 1984.

Thomas R. Thompson,

Associate District Manager.

[FR Doc. 84-6966 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-33-M

[A-18909]

Public Lands Exchange; Mohave County, Arizona

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of Realty Action—Exchange, Public Lands in Mohave County, Arizona.

SUMMARY: The following described lands have been determined to be suitable for disposal by exchange under Section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716:

Gila and Salt River Meridian, Arizona

T. 19 N., R. 21 W.,
Sec. 31, lots 1 and 2.
Containing 79.92 acres, more or less.

In exchange for these lands, the United States will acquire the following described land from Thomas R. Reingruber of Las Vegas, Nevada.

Gila and Salt River Meridian, Arizona

T. 25 N., R. 17 W.,
Sec. 31, lots 3 and 4, E½SW¼, and SE¼.
Comprising 320.15 acres, more or less.

The purpose of the exchange is to acquire the non-federal lands which contain mule deer and feral horse habitat in the Cerbat Mountains north of Kingman, Arizona. The exchange is consistent with land use plans and the public interest will be well served.

The above lands will be subject to an appraisal to determine the value of the lands to be exchanged. The listed lands may change to reflect equal value following the completion of the appraisal.

Lands to be transferred from the United States will be subject to the following reservations:

1. A right-of-way for ditches and canals constructed by the authority of the United States, pursuant to the Act of August 30, 1890 (26 Stat. 391; U.S.C. 945).

2. All minerals in the subject are reserved to the Santa Fe Pacific Railroad Company as set forth in Patent No. 1128838 of April 16, 1947.

3. Subject to such rights for powerline right-of-way A-1876 as provided under the authority of the Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961).

4. Subject to rights for diversion dike right-of-way A-18889 as provided under the authority of the Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

5. Subject to whatever restrictions that may be imposed by the County Floodplain Administrator in accordance with the "Amended Floodplain Regulations For the Unincorporated Area of Mohave County, Arizona," as adopted by the Mohave County Board of Supervisors by Resolution No. 82-1 of May 17, 1982, and Recorded in Book 824, Page 895 of Official Records, Mohave County, Arizona.

Private lands to be acquired by the United States will be subject to the following reservations, terms and conditions:

1. All minerals in the subject are reserved to the Santa Fe Pacific Railroad Company as set forth in Book 113 of Deeds, page 161 Mohave County, Arizona.

Publication of this Notice will segregate the subject lands from all appropriations under the public land laws. This segregation will terminate upon the issuance of a patent or two years from the date of this Notice, or upon publication of a Notice of Termination.

Detailed information concerning this exchange can be obtained from the Kingman Resource Area Office, 2475 Beverly Avenue, Kingman, Arizona 86401. For a period of Forty-five (45) days from the date of this Notice, interested parties may submit comments to the District Manager, Phoenix District Office, 2015 West Deer Valley Road, Phoenix, Arizona 85207. Any adverse comments will be evaluated by the District Manager who may vacate or modify this Realty Action, and issue a final determination. In the absence of any action by the District Manager, this Realty Action will become the final determination of the Department of the Interior.

Dated: March 9, 1984.

Marlyn V. Jones,

District Manager.

[FR Doc. 84-6964 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-32-M

[A-18970]

Public Lands Exchange; Mohave County, Arizona

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of Realty Action—Exchange, Public Lands in Mohave County, Arizona.

SUMMARY: The following described lands have been determined to be suitable for disposal by exchange under Section 206 of the Federal Land Policy

and Management Act of 1976, 43 U.S.C. 1716:

Gila and Salt River Meridian, Arizona

T. 19 N., R. 21 W.,
Sec. 30, lots 2, 3, and 4, S½NE¼, SE¼ NW¼, E½SW¼, and SE¼.

Containing 479.96 acres or a portion thereof.

In exchange for these lands, the United States will acquire the following described land from R&R Investors of Las Vegas, Nevada:

Gila and Salt River Meridian, Arizona

T. 26 N., R. 14 W.,
Sec. 19, SE½ (being that parcel of land lying southeasterly of a diagonal line drawn from the northeast corner of the southwest corner of said section).
T. 25 N., R. 15 W.,
Sec. 1, lots 1 to 4, inclusive, S½N½, and S½.
T. 18 N., R. 16 W.,
Sec. 25, lots 1 and 2;
Sec. 27, N½.

Comprising 1348.59 acres, more or less.

The purpose of the exchange is to acquire the non-federal lands which contain critical mule deer habitat within the Music Mountain and Hualapai Mountain ranges near Kingman, Arizona. The exchange is consistent with the Bureau's planning system and the public interest will be well served.

The above lands will be subject to an appraisal to determine the value of the lands to be exchanged. The listed lands may change to reflect equal value following the completion of the appraisal.

Lands to be transferred from the United States will be subject to the following reservations:

1. A right-of-way for ditches and canals constructed by the authority of the United States, pursuant to the Act of August 30, 1890 (26 Stat. 391; U.S.C. 945).

2. All minerals in the subject are reserved to the United States with the right to prospect for, mine and remove same under the applicable laws and regulations.

3. Subject to such rights for powerline right-of-way A–1876 as provided under the authority of the Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961).

4. Subject to oil and gas lease A–16981 and any authorized extensions thereof.

5. Subject to whatever restrictions that may be imposed by the County Floodplain Administrator in accordance with the "Amended Floodplain Regulations For the Unincorporated Area of Mohave County, Arizona," as adopted by the Mohave County Board of Supervisors by Resolution No. 82–1 of May 17, 1982, and Recorded in Book 824, Page 895 of Official Records, Mohave County, Arizona.

6. A reservation for gas pipeline right-of-way A–4545 as provided under the authority of the Act of February 25, 1920, as amended, 30 U.S.C 185.

Private lands to be acquired by the United States will be subject to the following reservations, terms and conditions:

1. All minerals in the subject are reserved to the Santa Fe Pacific Railroad Company as set forth in Book 64 of Deeds, page 12 and Book 89 of Deeds, page 334, Mohave County, Arizona.

Publication of this Notice will segregate the subject lands from all appropriations under the public lands law, including the mining laws, but not the mineral leasing laws. This segregation will terminate upon the issuance of a patent or two years from the date of this Notice, or upon publication of a Notice of Termination.

Detailed information concerning this exchange can be obtained from the Kingsman Resource Area Office, 2475 Beverly Avenue, Kingman, Arizona 86401. For a period of Forty-five (45) days from the date of this Notice, interested parties may submit comments to the District Manager, Phoenix District Office, 2015 West Deer Valley Road, Phoenix, Arizona 85027. Any adverse comments will be evaluated by the District Manager who may vacate or modify this Realty Action, and issue a final determination. In the absence of any action by the District Manager, this Realty Action will become the final determination of the Department of the Interior.

Dated: March 9, 1984.

Marlyn V. Jones,

District Manager.

[FR Doc. 84–6965 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–32–M

Sale of Public Lands in San Juan County, Utah; Realty Action

AGENCY: Bureau of Land Management, Interior.

ACTION: U–52798 and U–52799; Notice of Realty Action, Sale of Public Lands in San Juan County, Utah.

SUMMARY: The Bureau of Land Management, based upon land use plans and field examinations, has determined that the following described tracts of land are suitable for sale at no less than fair market value, under the authority of section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750; 43 U.S.C. 1713).

Legal Description

T. 40 S., R. 23 E., SLBM,
Sec. 25, tract 37, 22.9 acres;
Tract 38, 2.5 acres.

Tract 37 is being offered at direct sale to the San Juan School District, Monticello, Utah for $3,000 for school district purposes.

Tract 38 is being offered at direct sale to Fern Matthews, Montezuma Creek, Utah for $450 to protect an existing business under Small Business Lease U–0110926.

The terms and conditions of each sale are:

1. The sale of the land is subject to all existing rights.

2. A right-of-way is reserved for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945; (1970)).

3. All minerals are reserved to the United States. The sales will be consummated not less than 60 days from the publishing date of this notice.

For a period of 45 days from the date of this notice, interested parties may submit comments to the Utah State Director, University Club Building, 136 E. South Temple, Salt Lake City, Utah 84111. Any adverse comments will be evaluated by the State Director, who may vacate or modify this notice. In absence of any action by the State Director, this notice will represent the final determination of the Department of Interior. Additional information is available from the Moab District Office, P.O. Box 970, Moab, Utah 84532, or the San Juan Resource Area, P.O. Box 7 Monticello, Utah 84535.

March 8, 1984.

Gary L. Hansen,

Acting District Manager.

[FR Doc. 84–6967 Filed 3–14–84; 8:45 am]

BILLING CODE 4310–DQ–M

Wyoming, Casper District Grazing Advisory Board; Meeting

AGENCY: Casper District, Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: The Casper District Grazing Advisory Board will meet in Newcastle, Wyoming to discuss cooperative management agreements, range improvement projects and statewide oil and gas operations policy.

DATE: April 25, 1984 at 10:00 a.m.

ADDRESS: Newcastle Resource Area, Bureau of Land Management, P.O. Box 757, Highway 16 Bypass, Newcastle, Wyoming 82701.

SUPPLEMENTARY INFORMATION: This meeting is held in accordance with Pub.

L. 92-463 and 94-579. The meeting is open to the public. Time will be available at 1:00 p.m. for public statements to the Board. Summary minutes will be available within 30 days after the meeting from the Casper District, Bureau of Land Management, 951 Rancho Road, Casper, Wyoming 82601.

FOR FURTHER INFORMATION CONTACT: Laura Cockerham, BLM Casper District, telephone (307) 261-5559.

Dated: March 9, 1984.

James W. Monroe,

District Manager.

[FR Doc. 84-6969 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-22-M

Butte District, Montana; Grazing Advisory Board Meeting

The Butte District Grazing Advisory Board will meet on Tuesday, April 17, 1984, in the conference room of the Butte District Office at 106 North Parkmont (Industrial Park), Butte, Montana. The meeting will begin at 9:00 a.m.

The agenda for the meeting will include (1) the Cooperative Management Agreement (CMA) program; (2) land exchange pooling and the First Continental exchange; (3) BLM's rangeland policy; (4) a report on the grazing fee study; (5) East Pioneer Stewardship Program update; and (6) a report on outfitter and guide regulations and current policy.

The meeting is open to the public. Interested persons may make oral statements to the board or file written statements for the board's consideration. Persons wishing to make oral statements should make prior arrangements with the District Manager, Bureau of Land Management, P.O. Box 3388, Butte, Montana 59702.

Summary minutes of the meeting will be maintained in the district office and will be available for public inspection and reproduction within 30 days following the meeting.

Dated: March 9, 1984.

Jack A. McIntosh,

District Manager.

[FR Doc. 84-6968 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-DN-M

Colorado; Shell Pipe Line Corporation Right-of-Way

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent to hold scoping meetings and prepare an environmental impact statement.

SUMMARY: The U.S. Department of the Interior, Bureau of Land Management, Grand Junction District Office will prepare an environmental impact statement on a proposed CO_2 pipeline from Cortez, Colorado to Rangely, Colorado. The pipeline will also be located in San Juan, Grand, and Uintah counties in Utah.

Alternatives that will be analyzed include the applicant's proposal, alternate pipeline routes, and alternate transportation methods. Other alternatives may be developed subsequent to scoping. The level of detail in the EIS will be determined following the scoping process; it will be equivalent to the level of anticipated impacts. The impact analysis will define how the components of the proposed action and alternatives interact with the surrounding environment. Impacts will be traced to the point where they no longer have significant effects.

A scoping meeting will be held during the last week of March or the first week of April, 1984 in Moab, Utah. Notice of the meeting will be published in local media at least two weeks before the meeting. The scoping process will involve personal contact with agencies and individuals, in addition to formal contact with other federal, state, and local agencies and groups. A mail-out packet will be used to collect issues and concerns from the general public.

In accordance with the final regulations of the Council on Environmental Quality for Implementation of Procedural Provisions of the National Environmental Policy act (40 CFR Part 1500) the scoping meetings will:

a. Inform affected federal, state and local agencies, and other interested groups or individuals about the proposal.

b. Define the scope and significant issues to be analyzed in the EIS. This includes identification and elimination from detailed study those issues which are not significant.

c. Identify environmental reports which may be related to the proposal or may contain relevant data.

d. Identify related consultation and review requirements which will be addressed in the EIS, including identification of mandated documentation.

FOR FURTHER INFORMATION CONTACT: Robert W. Kline, EIS Team Leader, Shell CO_2 Pipeline, Bureau of Land Management, 764 Horizon Drive, Grand Junction, CO 81501. Telephone: Commercial—303-243-6552; FTS—323-0011.

Wright C. Sheldon,

District Manager.

[FR Doc. 84-6963 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-JB-M

[W-80320]

Wyoming; Proposed Withdrawal and Opportunity for Public Meeting

March 7, 1984.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management proposes to withdraw 345.73 acres of public land for protection of the Split Rock and Devil's Gate historical sites on the Oregon Trail near Muddy Gap, Wyoming. This notice closes the land for up to 2 years from surface entry and mining location. The land will remain open to mineral leasing.

DATE: Comments and requests for a public meeting should be received by June 13, 1984.

ADDRESS: Comments and meeting requests should be sent to: Wyoming State Director, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003.

FOR FURTHER INFORMATION CONTACT: Scott Gilmer, Wyoming State Office, (307) 772-2089.

On March 4, 1984, a petition was approved allowing the Bureau of Land Management to file an application to withdraw the following described public land from settlement, sale, location, or entry under the general public land laws, including the mining laws, subject to valid existing rights:

Sixth Principal Meridian, Wyoming

T. 29 N., R. 87 W.,
Sec. 35, NE¼SE¼, NE¼NE¼NW¼SE¼, NW¼NW¼NW¼SE¼, S½N½NW¼SE¼, S½NW¼SE¼, N½S½SE¼.
T. 29 N., R. 89 W.,
Sec. 30, lot 2, NE¼NW¼, N½SE¼NW¼.
T. 29 N., R. 90 W.,
Sec. 25, E½SW¼NE¼, SE¼NE¼, E½NW¼SE¼, NE¼SE¼, N½N½SE¼SE¼.

The lands described above contain 345.73 acres in Natrona and Fremont Counties, Wyoming.

The purpose of the withdrawal is to protect the historic and cultural resources as well as the recreational values of these lands and the capital investments placed at the Split Rock and Devil's Gate sites by the Bureau of Land Management.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal. All interested persons who desire a public meeting for the purpose of being heard on the proposed withdrawal must submit a written request to the undersigned officer within 90 days from the date of publication of this notice. Upon determination by the authorized officer that a public meeting will be held, a notice of the time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with the regulations set forth in 43 CFR 2300.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the lands will be segregated as specified above unless the application is denied or canceled, or the withdrawal is approved prior to that date. The temporary uses which will be permitted during this segregative period are those ongoing discretionary land uses including grazing and granting of rights-of-way with the approval of the authorized officer of the Bureau of Land Management.

All communications in connection with this proposed withdrawal should be addressed to the Chief, Branch of Land Resources, Wyoming State Office, P.O. Box 1828, Cheyenne, Wyoming 82003.

Hillary A. Oden,

State Director, Wyoming.

March 4, 1984.

[FR Doc. 84-6970 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-22-M

Realty Action; Exchange of Public Lands; Lassen and Modoc Counties; California

AGENCY: Bureau of Land Management; Interior.

ACTION: CA 12436; California Realty Action, exchange of public lands in Lassen and Modoc Counties, California.

SUMMARY: The following described public lands have been determined to be suitable for disposal by exchange under Section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716.

Mount Diablo Meridian, California

T. 35 N., R. 12 E.,
Sec. 9, lots 1, 2, 3, 4;
Sec. 10, lots 2, 3, 4;
Sec. 11, lots 1, 2, 3;
Sec. 12, lots 1, 2, 3, 4;
Sec. 13, all;
Sec. 14, W½;
Sec. 15, all.
T. 36 N., R. 12 E.,
Sec. 14, lots NW¼;
Sec. 15, lots W½, W½E½, SE¼NE¼;
Sec. 22, lots S½, S½N½, N½NW¼, NW¼NE¼;
Sec. 25, all;
Sec. 27, E½, E½NW¼;
Sec. 31, E½SE¼, SE¼NE¼;
Sec. 32, NW¼NW¼, S½;
Sec. 33, W½SW¼, SW¼NW¼;
Sec. 35, all.
T. 35 N., R. 13 E.,
Sec. 7, lots 1, 2;
Sec. 8, lots 1, 2, 3, 4;
Sec. 9, lots 1, 2, 3, 4;
Sec. 10, lots 2, 3, 4;
Sec. 15, S½, NW¼, S½NE¼, NW¼NE¼;
Sec. 17, W½, SE¼;
Sec. 18, all.
T. 36 N., R. 13 E.,
Sec. 30, lots 3, 4, E½SW¼;
Sec. 31, lots 3, 4, E½SW¼;
Sec. 32, S½;
Sec. 33, SW¼SW¼.
T. 41 N., R. 12 E.,
Sec. 12, W½SW¼;
Sec. 13, NW¼NW¼;
Sec. 22, SW¼NW¼;
Sec. 24, W½SW¼, SW¼NW¼.
A total of 8,281.97 acres.

In exchange for these lands, the Federal Government will acquire tracts of non-federal lands in Modoc and Lassen Counties from Lyneta Ranches, P.O. Box 1397, Alturas, California 96101. The lands are described as follows:

Mount Diablo Meridian, California

T. 37 N., R. 12 E.,
Sec. 1, S½S½;
Sec. 2, SE¼SE¼;
Sec. 11, Lassen Co. Assessor's Parcels #019-030-18, and #019-030-19;
Sec. 12, Lassen Co. Assessor's Parcels #019-030-16, and #019-030-20;
Sec. 13, Lassen Co. Assessor's Parcels #019-130-21.
T. 38 N., R. 12 E.,
Sec. 13, SW¼SE¼;
Sec. 24, NW¼NE¼;
Sec. 26, NE¼NW¼;
Sec. 34, SW¼SW¼.
T. 39 N., R. 12 E.,
Sec. 26, S½SE¼, S½N½SE¼;
Sec. 28, S½SW¼, S½N½SW¼;
Sec. 36, all.
T. 37 N., R. 13 E.,
Sec. 3, Lassen Co. Asessor's Parcel #019-110-01;
Sec. 4, lots 1, 2, S½NE¼, SE¼, SE¼NW¼, E½SW¼;
Sec. 6, lot 7;
Sec. 7, lots 1, 2, 3, 4, E½W½;
Sec. 9, N½NE¼, NE¼NW¼.
T. 38 N., R. 13 E.,
Sec. 5, SE¼SW¼;
Sec. 8, N½NW¼, SW¼NW¼;
Sec. 17, SW¼NE¼, SE¼NW¼, N½SE¼;
Sec. 19, lot 4, SE¼NW¼, E½SW¼;
Sec. 20, SE¼NW¼, NE¼SW¼, N½SE¼;
Sec. 33, SW¼, W½SE¼.
T. 41 N., R. 13 E.,
Sec. 25: Modoc Co Assessor's Parcel #22-320-34.
T. 40., R. 13 E.,
Sec. 11, SE½, S½NE¼;
Sec. 12, S½, S½N½;
Sec. 13, N½;
Sec. 14, N½NE¼.
A total of 5,242.61 acres.

All mineral rights on the public lands will be retained by the Federal Government. All mineral rights, with the exception of those within T. 40., R. 13 E., Sec. 11: SE¼, S½NE¼, Sec. 12: S½, S½N½, Sec. 13: N½, and Sec. 14: N½NE¼, will be retained in the ownership of prior holders of title to the private lands.

The purpose of the exchange is to acquire non-federal lands that provide significant water sources for livestock grazing; wildlife habitat and fisheries management; and recreational uses. These values far outweigh the values found on the Federal lands to be exchanged. The exchange will benefit the general public and local agricultural economy, and provide improved management of Federal and private lands. The exchange is consistent with Bureau planning and has been discussed with Lassen and Modoc Counties. The public interest will be well served by making the exchange. The value of the lands to be exchanged is approximately equal and the acreage will be adjusted or money will be used to equalize the values upon completion of the final appraisal of the lands.

There will be reserved to the United States in the public lands to be exchanged, a right-of-way thereon for ditches and canals constructed by the authority of the United States (Act of August 30, 1890, 43 CFR Part 945).

Certain parcels of the public lands will be patented subject to rights-of-way heretofore granted by the United States as hereinafter specified.

1. S 015733, a right-of-way granted for ditch and lateral purposes, to the California State Department of Fish and Game, and to George E. Williams and Ethel M. Plaisil, its successors or assigns.

2. S 016557, a right-of-way granted for railroad purposes, to Southern Pacific Transportation Co., its successors or assigns, under the Act of March 3, 1875 (43 U.S.C. 934-939).

3. S 030314, a right-of-way granted for road and highway purposes to the State of California, Division of Highways, its

successors or assigns, under the Act of November 9, 1921.

4. S 075896, a right-of-way granted for electric transmission line purposes, to Surprise Valley Electrification Corp., its successors or assigns, under the Act of March 4, 1911.

5. S 035335, a right-of-way granted for telephone line purposes, to Citizens Utilities Co, its successors or assigns, under the Act of March 4, 1911.

6. S 4320, a right-of-way granted for road and highway purposes, to the Fish and Wildlife Service, U.S. Dept. of Interior, it successors or assigns, under R.S. 2477 (43 U.S.C. 932, repealed October 21, 1976).

7. CA 8589, a right-of-way granted for county road purposes, to Modoc County Road Dept., its successors or assigns, under R.S. 2477 (43 U.S.C. 932, repealed October 21, 1976).

8. CA 5457, a right-of-way granted for telephone line purposes, to Citizens Utilities, its successors or assigns, under the Act of October 21, 1976 (43 U.S.C. 1761–1771).

9. CA 5471, a right-of-way granted for electric transmission line purposes, to Surprise Valley Electrification Corp., its successors or assigns, under the Act of October 21, 1976 (43 U.S.C. 1761–1771).

10. S 2975, a right-of-way granted for electric transmission line purposes, to Surprise Valley Electrification Corp., its successors or assigns, under the Act of March 4, 1911.

11. S 053569, a right-of-way granted for road and highway purposes, to the State of California, Division of Highways, its successors or assigns, under the Act of November 9, 1921.

12. S 068867, a right-of-way granted for electric transmission line purposes, to Surprise Valley Electrification Corp., its successors or assigns, under the Act of March 4, 1911.

13. S 016560, a right-of-way granted for railroad purposes, to Southern Pacific Transportation Co., its successors or assigns, under the Act of March 3, 1875 (43 U.S.C. 934–939).

The publication of this notice in the Federal Register shall segregate the public lands described herein from all other forms of appropriation and entry under the public land laws and the mining laws for a period of two years. The exchange is expected to be consummated before the end of that period.

Detailed information concerning the exchange, including the environmental assessment and the record of non-federal participation, is available for review at the Bureau of Land Management's District Office, 705 Hall St., Susanville, California 96130, and at the Alturas Resource Area Office, P.O. Box 711, 120 S. Main Street, Alturas, California 96101.

DATE: The publication date of this notice will commence the 45 day comment period. Within that 45 day time period, interested parties may submit comments to the District Manager.

ADDRESSES: Comments should be sent to the Susanville District Manager, Bureau of Land Management, P.O. Box 1090, Susanville, California 96130, or P.O. Box 771, Alturas, California 96101.

Dated: March 8, 1984.

C. Rex Cleary,

District Manager.

[FR Doc. 84-6972 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-84-M

Minerals Management Service

Development Operations Coordination Document; Howell Petroleum Corp.

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the Receipt of a Proposed Development Operations Coordination Document (DOCD).

SUMMARY: Notice is hereby given that Howell Petroleum Corporation has submitted a DOCD describing the activities it proposes to conduct on Lease OCS–G 4909, Block 64, Main Pass Area, offshore Louisiana. Proposed plans for the above area provide for the development and production of hydrocarbons with support activities to be conducted from an onshore base located at Venice, Louisiana.

DATE: The subject DOCD was deemed submitted on March 7, 1984.

ADDRESSES: A copy of the subject DOCD is available for public review at the Office of the Regional Manager, Gulf of Mexico Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana (Office Hours: 9 a.m. to 3:30 p.m., Monday through Friday).

FOR FURTHER INFORMATION CONTACT: Mr. Mike Joseph, Minerals Management Service, Gulf of Mexico Region; Rules and Production; Plans, Platform and Pipeline Section, Exploration/Development Plans Unit; Phone (504) 838–0867.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is to inform the public, pursuant to Sec. 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the DOCD and that it is available for public review.

Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in DOCDs available to affected states, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in revised § 250.34 of Title 30 of the CFR.

Dated: March 7, 1984.

John L. Rankin,

Regional Manager, Gulf of Mexico Region.

[FR Doc. 84-6980 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-MR-M

National Park Service

Availability of Final Environmental Statement; Snake River, Idaho, Oregon, and Washington

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act, the Department of the Interior has prepared a final environmental statement for the Snake Wild and Scenic Rivers study conducted to determine if the river is eligible and suitable for inclusion in the National Wild and Scenic Rivers System.

ADDRESSES: Copies of the combined final environmental statement and study report are available from or for inspection at the following location: Pacific Northwest Regional Office, National Park Service, Westin Building, 2001 Sixth Avenue, Seattle, Washington 98121.

Public reading copies will be available for review at: Office of Public Affairs, National Park Service, U.S. Department of the Interior, 18th and C Streets, NW., Washington, D.C. 20240 (Telephone 202/343–6843).

SUPPLEMENTARY INFORMATION: The Snake Wild and Scenic Rivers study proposes inclusion of a 33-mile segment of the Snake River from the northern boundary of the Wallowa-Whitman National Forest downstream to a point near the town of Asotin, Washington. This segment forms the boundary between Oregon and Idaho and between Washington and Idaho. Of the total 33 miles, 11 miles would be classified as Scenic River and 22 miles as Recreation River. The study proposes that the upper 11-mile segment between the confluence of the Grande Ronde River and the Wallowa-Whitman National Forest boundary be added to the National Wild and Scenic Rivers System under administration by the Forest Service and that the States of Idaho and Washington or their subdivision administer the lower 22-mile segment from the confluence of

the Grande Ronde to Asotin, as a State wild and scenic river in the National System pursuant to Section 2(a)(ii) of the Wild and Scenic Rivers Act.

Designation of this segment of the Snake River would foreclose development of a potential hydroelectric site near Asotin, Washington. Extraction of limestone near the confluence of the Grande Ronde River and the Snake River could be impeded. Minor increases in recreational use over that without designation could result in limited adverse impacts on soil and vegetation. Inclusion in the National System would effect preservation of the existing outstanding scenic, geologic, recreation, wildlife, and water quality values of the river in addition to preserving other associated cultural values.

In addition to the proposed action, other alternatives considered were (1) no action, (2) addition of only the upper 11-mile segment, (3) addition of only the uppermost 4 miles within Hells Canyon National Recreation Area. Although the preferred option in the report/FEIS is for designation of the 33-mile segment, this will not necessarily be the President's proposal to Congress or the Secretary's recommendation to the President.

Further information can be obtained from John Haubert (202) 343-9377.

Dated: February 24, 1984.

Bruce Blanchard,

Director, Environmental Project Review.

[FR Doc. 84-6973 Filed 3-14-84; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-6 (Sub-No. 195]

Burlington Northern Railroad Company—Abandonment—in York County, NE; Findings

The Commission has issued a certificate authorizing Burlington Northern Railroad Company to abandon its 7.16-mile rail line between York (milepost 133.13) and McCool Junction (milepost 125.97) in York County, NE. The abandonment certificate will become effective 30 days after this publication unless the Commission also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and the applicant no later than 10 days from publication of this Notice. The following notation shall be typed in bold face on the lower left-hand corner of the envelope containing the offer: "Rail Section, AB-OFA". Any offer previously made must be remade within this 10-day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR Part 1152.

James H. Bayne,

Acting Secretary.

[FR Doc. 84-6910 Filed 3-14-84; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30411]

Prairie Central Railway Company—Trackage Rights Exemption—Between Decatur Junction and Decatur, IL

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts from the requirements of prior approval under 49 U.S.C. 11343 *et seq.* the acquisition by the Prairie Central Railway Company of trackage rights over the Illinois Central Gulf Railroad Company's line of track between milepost 92.26 at Decatur Junction, IL, and milepost 95.5, at Decatur, IL, subject to standard labor protection.

DATES: This exemption will be effective on March 15, 1984. Petitions to reopen this decision must be filed by April 4, 1984.

ADDRESSES: Send pleadings referring to Finance Docket No. 30411 to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423

(2) Petitioner's representative: William C. Evans, Elizabeth A. Campbell, 1660 L Street, NW., Washington, DC 20036

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275-7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289-4357 (DC Metropolitan area) or toll free (800) 424-5403.

Decided: March 8, 1984.

By the Commission, Chairman Taylor, Vice Chairman Andre, Commissioners Sterrett and Gradison.

James H. Bayne,

Acting Secretary.

[FR Doc. 84-6908 Filed 3-14-84; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30424]

Seaboard System Railroad, Inc.—Merger Exemption—the South Carolina Pacific Railway Company Inc.; Exemption

Seaboard System Railroad, Inc. (SBD) and The South Carolina Pacific Railway Company, Inc. (Pacific Railway) filed a notice of exemption concerning the proposed merger of Pacific Railway into SBD. Pacific is a wholly-owned subsidiary of SBD. Consummation of the merger should result in management efficiencies and reductions in costs. There will be an elimination of certain separate executive functions, separate accounting and reporting requirements, and the general administrative burdens of maintaining two separate corporations. While the merger will result in significant benefits to SBD, it will not materially affect the competitive balance with other rail carriers outside the corporate family, nor will there be any significant operational changes or any adverse changes in service levels.

This is a transaction within a corporate family of the type specifically exempted from the necessity of prior review and approval under 49 CFR 1180.2(d)(3).

As a condition to use of this exemption, any employee affected by the merger shall be protected pursuant to *New York Dock Ry.-Control-Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

Decided: March 7, 1984.

By the Commission, Heber P. Hardy, Director, Office of Proceedings.

James H. Bayne,

Acting Secretary.

[FR Doc. 84-6907 Filed 3-14-84; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30395]

Southern Pacific Transportation Company—Discontinuance of Service Exemption—in San Joaquin and Calaveras Counties, CA

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts the Southern

Pacific Transportation Company from the requirements of prior approval under 49 U.S.C. 10903 *et seq.* regarding the proposed discontinuance of service over 31.84 miles of track in San Joaquin and Calaveras Counties, CA, subject to the standard employee protective conditions.

DATES: This exemption will be effective on April 16, 1984. Petitions for reconsideration must be filed by April 4, 1984. Petitions for stay must be filed by March 26, 1984.

ADDRESSES: Send pleadings referring to Finance Docket No. 30395 to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423

(2) Petitioner's representative: Richard S. Kopf, One Market Plaza, San Francisco, CA 94105

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275-7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289-4357 (DC Metropolitan area) or toll free (800) 424-5403.

Decided: March 8, 1984.

By the Commission, Chairman Taylor, Vice Chairman Andre, Commissioners Sterrett and Gradison.

James H. Bayne,

Acting Secretary.

[FR Doc. 84-6809 Filed 3-14-84; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Solicitation; 1984 Summer Research Fellowship Program

The National Institute of Justice announces a competitive research solicitation entitled, 1984 Summer Research Fellowship Program. It is anticipated that approximately $50,000 will be allocated for the program with awards averaging $10,000. Funding recommendations will be made to the Director of the National Institute of Justice by a Peer Review Panel. To be eligible for consideration, proposals must be received by Tuesday, May 8, 1984.

Copies of this solicitation can be obtained by writing Joel Garner, National Institute of Justice, Office of Research and Evaluation Methods, 633 Indiana Avenue, NW., Washington, D.C. 20531, or by calling him at (202) 724-7635.

James K. Stewart,

Director.

[FR Doc. 84-6919 Filed 3-14-84; 8:45 am]

BILLING CODE 4410-18-M

MERIT SYSTEMS PROTECTION BOARD

Political Activity and the Federal Employee et al.; Deadline for Ordering

AGENCY: Office of the Special Counsel; Merit Systems Protection Board.

ACTION: Notice of deadline for ordering "Political Activity and the Federal Employee" and "Political Activity and the State and Local Employees"; ordering procedures.

SUMMARY: Due to demand, a new rider has been established to Printing Requisition for "Political Activity and the Federal Employee" and "Political Activity and the State and Local Employee". The purpose of this notice is to inform federal agencies and state and local government offices that the deadline for ordering the Office of the Special Counsel publications entitled "Political Activity and the Federal Employee" and "Political Activity and the State and Local Employees" is April 30, 1984. Federal agencies may order the publication "Political Activity and the Federal Employee" by writing the Merit Systems Protection Board printing requisition 4-00118. State and local government offices may order the publication "Political Activity and the State and Local Employees" by writing the Merit Systems Protection Board printing requisition 4-00119.

Agencies should submit their requirements to their headquarters printing procurement office. Printing procurement offices should submit consolidated requirements on Standard Form 1 to the Government Printing Office, Requisitions Section, Room 836, Washington, DC 20401, no later than April 30, 1984. Agencies may estimate cost by using the current Government Printing Office price list of printing services.

FOR FURTHER INFORMATION CONTACT: H. Alma Hepner, Director of Congressional and Public Relations, Office of the Special Counsel, Merit Systems Protection Board, Suite 1137, 1120 Vermont Avenue, NW, Washington, DC 20419, (202) 653-7984.

For the Special Counsel.

H. Alma Hepner,

Director of Congressional and Public Relations.

[FR Doc. 84-6933 Filed 3-14-84; 8:45 am]

BILLING CODE 7400-02-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 84-23]

NASA Advisory Council (NAC), Space Applications Advisory Committee (SAAC); Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Applications Advisory Committee.

DATE AND TIME: April 3, 1984, 8:30 a.m. to 5 p.m.; and April 4, 1984, 8:30 a.m. to 12 p.m.

ADDRESS: National Aeronautics and Space Administration, Room 226A, 600 Independence Avenue, SW., Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Dr. Dudley G. McConnell, Code E, National Aeronautics and Space Administration, Washington, DC 20546 (202/453-1420).

SUPPLEMENTARY INFORMATION: The NAC Space Applications Advisory Committee consults with and advises the Council as a whole and NASA on plans for, work in progress on, and accomplishments of NASA's Space Applications programs.

The meeting will be open to the public up to the seating capacity of the room (approximately 50 persons including Committee members and other participants). Topics under discussion at this meeting will include reports by the fact-finding subcommittees of the Space Applications Advisory Committee on communications, materials, remote sensing, and flight missions. There will be a presentation on the public service satellite consortium, and a detailed revision presentation on the Advanced Communications Technology Satellite program.

Type of meeting: Open.

Agenda:

April 3, 1984

8:30 a.m.—Administrative Report on Advisory Council Meetng.

9 a.m.—Activities on Earth System Science Committee.

9:30 a.m.—Activities of Remote Sensing Committee of the Space Applications Board.

10:15 a.m.—Space Station Activities: Status of Dr. Banks' Subcommittee of the Space and Earth Science Advisory Committee (SESAC).

11 a.m.—Advanced Communications Technology Satellite (ACTS) Program.

1 p.m.—SAAC/Subcommittee Reports and Discussion: Communications, Materials, and Remote Sensing Subcommittees.

3:30 p.m.—Public Service Satellite Consortium.

4:30 p.m.—Discussion.

5 p.m.—Adjourn.

April 4, 1984

8:30 a.m.—SAAC Subcommittee Reports, continued: Flight Missions.

9:15 a.m.—Discussion of SAAC Report Preparation Work Plan.

12 p.m.—Adjourn.

Richard L. Daniels,

Deputy Director, Logistics Management and Information Programs Division, Office of Management.

March 7, 1984.

[FR Doc. 84-6893 Filed 3-14-84; 8:45 am]

BILLING CODE 7510-01-M

[Notice 84-24]

NASA Advisory Council; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council (NAC) Informal Earth System Sciences Committee.

DATE AND TIME: April 9, 1984, 8:30 a.m. to 5 p.m.; April 10, 1984, 8:30 a.m. to 5 p.m.; and April 11, 1984, 8:30 a.m. to 3 p.m.

ADDRESS: Goddard Space Flight Center, Greenbelt, Maryland 20771, Building 8 Conference Center.

FOR FURTHER INFORMATION CONTACT: Mr. Ray J. Arnold, Code EE, National Aeronautics and Space Administration, Washington, DC 20546, (202) 453-1707.

SUPPLEMENTARY INFORMATION: The NASA Advisory Council, Informal Earth System Sciences Committee has been formed to provide advice and counsel on the future role, responsibilities, and implementation strategies for the Earth Science and Applications program. This committee is chaired by Dr. Francis L. Bretherton and has a total of 18 members. This will be the third of a series of meetings to address this subject.

Type of meeting: Open.

Agenda:

April 9, 1984

8:30 a.m.—Future National Oceanic and Atmospheric Administration Plans and Programs. Atmospheric Chemistry Goals and Issues.

1 p.m.—Atmosphere Dynamics goals and Issues.

5 p.m.—Adjourn.

April 10, 1984

8:30 a.m.—Ocean Dynamics and Biology Goals and Issues. Geodynamics Goals and Issues.

1 p.m.—Land Surface Processes Goals and Issues.

5 p.m.—Adjourn.

April 11, 1984

8:30 a.m.—Flight Systems Opportunities and Plans.

1 p.m.—Future Plans of the Committee.

3 p.m.—Adjourn.

Richard L. Daniels,

Deputy Director, Logistics Management and Information Programs Division, Office of Management.

March 7, 1984.

[FR Doc. 84-6899 Filed 3-14-84; 8:45 am]

BILLING CODE 7510-01-M

[Notice 84-25]

NASA Advisory Council, Aeronautics Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Aeronautics Advisory Committee, Informal Advisory Subcommittee on Transport Aircraft.

DATE AND TIME: April 10, 1984, 8:30 a.m. to 4:30 p.m.; April 11, 1984, 8 a.m. to 3:30 p.m.

ADDRESS: NASA Ames Research Center, Administration Building (N-200), Committee Room, Moffett Field, CA 94035.

FOR FURTHER INFORMATION CONTACT: Mr. Roger Winblade, National Aeronautics and Space Administration, Code RJT, Washington, DC 20546 (202/453-2812).

SUPPLEMENTARY INFORMATION: The Informal Advisory Subcommittee on Transport Aircraft has been established to assist the NASA in assessing the current adequacy of transport aircraft technology and recommend actions to reduce deficiencies through modification of the planned NASA research and technology program in transport advanced aerodynamics, active controls, materials, propulsion, avionics, and safety. The Subcommittee, chaired by Mr. Russell Hopps, is comprised of eight members. The meeting will be open to the public up to the seating capacity of the room (approximately 50 persons including the Subcommittee members and participants).

Type of meeting: Open.

Agenda:

April 10, 1984.

8:30 a.m.—Chairperson's Opening Remarks.

8:45 a.m.—Executive Secretary's Report.

9 a.m.—Systems Research & Technology Status Reports.

1 p.m.—Discussion of Systems Research & Technology Programs.

2 p.m.—Presentation of Fiscal Year 1986 NASA New Initiatives.

4:30 p.m.—Adjourn.

April 11, 1984

8 a.m.—Discussion of New Initiatives.

10 a.m.—Transport Aircraft Technology Issues.

10:30 a.m.—Discussion of Technology Issues.

1 p.m.—Subcommittee Recommendations.

3:30 p.m.—Adjourn.

Richard L. Daniels,

Deputy Director, Logistics Management and Information Programs Division, Office of Management.

March 7, 1984.

[FR Doc. 84-6900 Filed 3-14-84; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Literature Advisory Panel; Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Literature Advisory Panel (Overview/Professional Development Section) to the National Council on the Arts will be held on March 29-30, 1984, from 9:00 a.m.-5:30 p.m. in Room 715 of the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW, Washington, DC 20506.

A portion of this meeting will be open to the public on March 30 from 9:00

a.m.–5:30 p.m. to discuss Policy and Guidelines.

The remaining sessions of this meeting on March 29 from 9:00 a.m.–5:30. p.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the **Federal Register** of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, DC 20506, or call (202) 682–5433.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 84–7004 Filed 3–14–84; 8:45 am]

BILLING CODE 7537–01–M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–344]

Portland General Electric Co., the City of Eugene, Oregon and Pacific Power & Light Co. (Trojan Nuclear Plant); Exemption

I

Portland General Electric Company, the City of Eugene, Oregon, and Pacific Power & Light Company (the licensee) are the holders of Facility Operating License No. NPF–1 which authorizes the operation of the Trojan Nuclear Plant (the facility) at reactor power levels not in excess of 3411 megawatts thermal. The facility consists of a Westinghouse Electric Corporation designed pressurized water reactor located at the licensee's site in Columbia County, Oregon.

The license is subject to all rules and regulations of the Commission.

II

10 CFR 50.48, "Fire protection," and Appendix R to 10 CFR Part 50, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979" set forth certain specific fire protection features required to satisfy the General Design Criterion related to fire protection (Criterion 3, Appendix A to 10 CFR Part 50).

Section III.O of Appendix R requires that the reactor coolant pumps be equipped with an oil collection system if the containment is not inerted during normal reactor operation. The collection system is required to be capable of collecting all the oil in a vented closed container. The purpose of the collection system is to collect spilled or leaking oil to prevent a large oil fire inside containment.

III

By letter dated November 30, 1983, the licensee requested an exemption from the requirements of Section III.O of Appendix R to the extent that it requires the collection tank to be sized to hold the oil inventory of all four reactor coolant pump motors.

The licensee proposed to add a dike around the existing collection tanks to increase the capacity of the collection system to hold the oil inventory of all four motors.

The acceptability of this alternaive measure is addressed below.

IV

There are four reactor coolant pumps, each with 265 gallons of lubricating oil in its smotor. The present oil collection system consists of two vented, closed tanks, one for each pair of reactor coolant pump motors. Each tank has a capacity of 306 gallons. Section III.O requires the capacity to be 530 gallons, the amount of oil contained in 2 motors. The lubricating oil has a flash point of approximately 425°F. There are no ignition sources at the floor level of the lower containment.

The licensee proposes to increase the storage capacity by 265 gallons by providing a dike around each existing oil collection tank to collect any overflow from the tank. The tank and dike together would have a capacity of 571 gallons, more than the 530 gallons required by the regulation. Although this capacity is within the regulation, the design is not, since the dike design is not a "vented closed container".

The proposed oil collection tank and dike system is designed so that any overflow will be contained in a safe location and will not present an exposure fire hazard to or otherwise endanger safety related equipment. Based on the above, the proposed RCP motor lube oil collection system provides a level of safety equivalent to the technical requirements of Section III.O and, therefore, the exemption should be granted.

The licensee proposes to complete the modifications to the oil collection system in the 1984 refueling outage which is scheduled to begin in April 1984. This is an acceptable schedule.

V

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption requested by licensee's letter as referenced and discussed in III. and IV. above is authorized by law, will not endanger life or property or the common defense and security, is otherwise in the public interest, and is hereby granted.

The Commission has determined that the granting of this exemption will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

A copy of the licensee's letter related to this aciton is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washingtion, D.C. and at the local public document room located at the Multnomah County Library, Social Science and Science Department, 801 SW 10th Avenue, Portland, Oregon 97205.

Dated at Bethesda, Maryland this 5th day of March, 1984.

This Exemption is effective upon issuance.

For the Nuclear Regulatory Commission.

Darrell G. Eisenhut,

Director, Division of Licensing.

[FR Doc. 84–6952 Filed 3–14–84; 8:45 am]

BILLING CODE 7590–01–M

Advisory Panel for the Decontamination of Three Mile Island, Unit 2; Meeting

Notice is hereby given pursuant to the Federal Advisory Committee Act that the Advisory Panel for the Decontamination of Three Mile Island, Unit 2 will be meeting on March 29, 1984, from 7:00 p.m. to 10:00 p.m. at the Holiday Inn, 23 South Second Street, Harrisburg, Pennsylvania 17101. The meeting will be open to the public.

This meeting was originally scheduled for March 8, 1984 but was cancelled due to inclement weather. At the March 29, 1984 meeting the Panel will hold a discussion on the U.S. Nuclear Regulatory Commission's recent draft Supplement to the Programmatic Environmental Impact Statement, addressing occupational radiation exposure. General Public Utilities Nuclear Corporation will describe their exposure control program. The Panel

will formulate specific comments on the draft Supplement. These comments will be conveyed to the NRC Commissioners for consideration in the preparation of the final version of the Supplement.

Further information on the meeting may be obtained from Dr. Michael T. Masnik, Three Mile Island Program Office, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone 301/492-7466.

Dated: March 12, 1984.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 84-6950 Filed 3-14-84; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Reestablishment of the Services Policy Advisory Committee

The U.S. Trade Representative has taken steps to reestablish the Services Policy Advisory Committee. This Committee will be rechartered pursuant to Section 135(c)(1) of the Trade Act of 1974 (19 U.S.C. 2155(c)(1)), as amended; the Federal Advisory Committee Act (5 U.S.C. App. 1); Section 4(d) of Executive Order No. 11846, March 27, 1975; an Executive Order No. 121888.

The Services Committee will advise, consult with, and make recommendations to the U.S. Trade Representative on policy issues related to trade in services.

The Committee will meet at irregular intervals at the call of the U.S. Trade Representative. The frequency of committee meetings will be approximately three or four times per year, depending upon the need of the U.S. Trade Representative.

Representatives from the private sector wishing further information or to be considered for appointment to serve on the committee should contact: The United States Trade Representative, Office of Private Sector Liaison, 600 17th Street, NW., Room 123, Washington, D.C. 20506, (202) 395-6120.

Phyllis O. Bonanno,

Director, Office of Private Sector Liaison.

[FR Doc. 84-6976 Filed 3-14-84; 8:45 am]

BILLING CODE 3190-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Hydropower Options Task Force; Regular Meeting Notice

AGENCY: Hydropower Options Task Force of the Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1-4. Activities will include:

- Legislative ways to enhance hydro options concept
- Administrative ways to enhance hydro options concept
- Public Comment

STATUS: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its Hydropower Options Task Force.

DATE: Thursday, March 22, 1984, 9. a.m.

ADDRESS: The meeting will be held at the Council Hearing Room at 700 SW. Taylor; Suite 200, in Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Tom Foley, (503) 222-5161.

Edward Sheets,

Executive Director.

[FR Doc. 84-6989 Filed 3-14-84; 8:45 am]

BILLING CODE 0000-00-M

RAILROAD RETIREMENT BOARD

Meeting; Actuarial Advisory Committee With Respect to the Railroad Retirement Accounts

Notice is hereby given in accordance with Pub. L. 92-463 that the Actuarial Advisory Committee will hold a meeting on April 9, 1984, at the office of the Chief Actuary of the U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, on the conduct of the 16th Actuarial Valuation of the Railroad Retirement Account. The agenda for this meeting will include the results of the recently completed age retirement, disability retirement, withdrawal, and active service mortality studies for the 16th Valuation, together with the recommendations of the Chief Actuary as to the retirement, withdrawal, and active service mortality assumptions to be used for the 16th Valuation.

The meeting will be open to the public. Persons to submit written statements or make oral presentations should address their communications or notices to the RRB Actuarial Advisory Committee, c/o Chief Actuary, U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

Dated: March 8, 1984.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 84-6978 Filed 3-14-84; 8:45 am]

BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 23242; 70-6948]

American Electric Power Company, Inc.; Proposal To Amend Charter To Increase Authorized Common Stock and To Issue and Sell Common Stock to Employee Stock Ownership Plan; Order Authorizing Solicitation of Proxies; Exception From Competitive Bidding

March 9, 1984.

American Electric Power Company, Inc. ("AEP"), 1 Riverside Plaza, Columbus, Ohio 43215, a registered holding company, has filed a declaration with this Commission pursuant to Sections 6(a), 7 and 12(e) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 50, 62 and 65 thereunder.

AEP proposes to amend its charter so as to increase its authorized shares of common stock from 200 million to 225 million. As of December 31, 1983, 179,810,539 shares were issued and outstanding. AEP considers that the remaining 20,189,481 available at that date are not adequate to meet anticipated new capital requirements for system operating companies which are expected to total approximately $1.8 billion for 1984 and 1985.

AEP also proposes to issue and sell up to 650,000 shares of its authorized unissued common stock from time to time through November 1, 1986 to a trustee for the payroll based American Electric Power System Employee Stock Ownership Plan ("PAYSOP") at a price equal to either the average of the closing prices of the common stock for the 20 consecutive trading days immediately preceding such date or any other amount determined in accordance with the provisions of the Internal Revenue Code of 1954, as amended, but in no event less than par value. The method of pricing shall be applicable to all sales except as subsequently determined.

The PAYSOP was adopted January 26, 1984 effective retroactively to January 1, 1983. Eligible employees of all present subsidiaries of AEP ("Employer") may participate. Participants may not contribute to the PAYSOP. Each Employer makes contributions on behalf of its employees subject to certain

limitations. All contributions will be to a trustee (not yet selected) and will be in cash or common stock. If a contribution is in cash, the trustee shall use it to purchase common stock. Common stock may be acquired either in the open market or directly from AEP. If, as expected, the trustee elects to purchase the common stock from AEP, it would provide an additional source of funds to AEP. It is estimated that the trustee will receive $2,750,000 annually through 1987 from the Employers for the PAYSOP.

The affirmative vote of holders of a majority of the shares of common stock outstanding on March 7, 1984 is required for AEP to increase authorized common stock and to issue common stock to the PAYSOP. AEP intends to submit the proposals to its stockholders for their approval at the annual meeting of shareholders to be held on April 25, 1984. In connection therewith, AEP proposes to solicit proxies for the holders of its outstanding common stock to be voted at the meeting. AEP requests an exception from the competitive bidding requirements of Rule 50 (b) and (c) with respect to the issuance and sale of the common stock to a trustee for the PAYSOP pursuant to Rule 50(a)(5).

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by April 2, 1984, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

It appearing to the Commission that AEP's declaration regarding the proposed solicitation of proxies should be permitted to become effective forthwith pursuant to Rule 62:

It is ordered that the declaration regarding the proposed solicitation of proxies be, and it hereby is, permitted to become effective forthwith pursuant to Rule 62 and subject to the terms and conditions prescribed in Rule 24 under the Act.

For the Commission, by the Office of Public Utility Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84-6983 Filed 3-14-84; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 13815; 812-5789]

First Midwest Capital Corporation; Application for an Order Exemption

March 9, 1984.

Notice is hereby given that First Midwest Capital Corporation ("Applicant"), Suite 700, Chamber of Commerce Building, 15 South Fifth Street, Minneapolis, Minnesota 55402, a non-diversified, closed-end, management investment company, registered under the Investment Company Act of 1940 (the "Act") and a federal licensee under the Small Business Investment Act of 1958, filed an application on March 9, 1984, pursuant to Section 17(d) of the Act and Rule 17d-1 thereunder, for an order of the Commission permitting the participation of Applicant in additional financing of BetaCom Corporation ("BetaCom"). Applicant is a wholly-owned subsidiary of First Midwest Corporation, also a non-diversified, closed-end, management investment company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below, and to the Act for the complete text of pertinent provisions of the Act.

Applicant states that it is engaged in the business of providing long-term equity funding to eligible small businesses to assist them in their growth and development. According to the application, on January 26, 1981, the Applicant and another small business investment company ("Control Data Capital Corp.") provided debt and equity financing to BetaCom in the sum of $600,000. BetaCom is engaged in the manufacturing of terminal interface processors. Applicant's participation therein consisted of purchasing $125,000 of eight-year debentures bearing interest at the rate of 15 percent per annum, and 260 shares of common stock for $125,000. The common stock purchased by Applicant represented the power to vote 14.57 percent of the voting shares of BetaCom. As a result of such ownership, Applicant and Control Data Capital Corp. became affiliated persons, as defied by Section 2(a)(3) of the Act, of an affiliated person (BetaCom) of Applicant, Control Data Capital Corp. having purchased greater than five percent of the voting shares of BetaCom.

It is stated in the application that, subsequent to the above-described transaction, on March 25, 1982, additional financing totalling $850,000 was provided by a group of small business investment companies ("SBICs") to BetaCom. The financing took the form of $424,920 of eight-year 14 percent per annum debentures and common stock purchased at a total price of $425,080. Applicant's participation consisted of purchasing $37,440 of the debentures plus $37,560 worth of the common stock. As a result of the second financing, Applicant's ownership of BetaCom declined to 12.46 percent, and MorAmerica, a participating SBIC, became an affiliated person of BetaCom by virtue of its acquiring more than five percent of the voting shares thereof.

Applicant states that in 1983, FMCC loaned $74,396 to BetaCom on an interim basis under a one year promissory note. On May 20, 1983 this investment was converted into 6,199.67 shares of BetaCom cumulative preferred stock as a part of a third round of financing. In this third round, 12 venture capital investors (including FMCC) purchased a total of 202,500 shares of cumulative preferred stock for a total of $2,430,000. Each share of cumulative preferred stock has voting rights identical to the voting rights of a share of common stock. Thus, as a result of the 1983 financing, FMCC's voting power has declined to 8.15% of the voting shares of BetaCom. In addition, four of the investors have become affiliated persons of BetaCom as a consequence of now owning more than five percent of the voting shares of BetaCom.

Applicant states that BetaCom proposes to conduct a fourth round of financing in 1984 to raise approximately $2,400,000. It is presently anticipated that the financing will be by means of the sale of common stock in a private offering and that the present 12 venture capital investors will purchase 25% of the offering ($600,000). Of this amount FMCC anticipates purchasing, subject to approval of this application, slightly less than $100,000 of the common stock being offered. Until the offering price per share for the common stock is determined, the number of shares which FMCC will receive for its approximately $100,000 additional investment, and the extent to which the offering will reduce FMCC's present 8.15% of voting shares, cannot be precisely determined. However, the 1984 financing may reduce FMCC's voting power to less than 5% of BetaCom's voting shares. It is

anticipated that the new financing will be completed in two substantially identical phases, with about half the funds invested being paid in approximately during March 1984 and the balance about 90 days later. FMCC will participate in the new financing only on the basis that its investment is on the same terms and conditions at the same price per unit, as the investments of all other investors in the financing. FMCC believes that since BetaCom appears to be progressing well, participation in the proposed new financing has potential for producing a substantial return on the additional investment.

Applicant states that no affiliate of FMCC has any personal financial interest in BetaCom of the subject transaction. Applicant further states that it believes Rule 17d-1(d)(5) would exempt the proposed transaction from the restrictions of Rule 17d-1 except for the fact that Applicant proposes to commit in excess of 20 percent of its paid-in capital and surplus to investments in BetaCom. Applicant asserts that the percentage set forth in Rule 17d-1(d)(5) was designed to coordinate with the investment limits imposed by the Small Business Administration ("SBA").

Applicant states that it will be participating in the proposed transaction on a basis which is no less advantageous than that of any other participant. The Applicant further asserts that the proposed transaction is fair to all parties and that Applicant believes the investment has a potential for substantial return. The Applicant also contends that the proposed transaction is consistent with the general purposes and policies of the Act and, therefore, requests, pursuant to Section 17(d) of the Act and Rule 17d-1 thereunder, an order of the Commission permitting the proposed transaction.

Notice is further given that any interested person wishing to request a hearing on the application may, not later than March 29, 1984, at 5:30 p.m. do so by submitting a written request setting forth the nature of his/her interest, the reasons for his/her request, and the specific issues, if any, of fact or law that are disputed, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of the request should be served personally or by mail upon Applicant at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed with the request. Persons who request a hearing will receive any notices and orders issued in this matter. After said date, an order disposing of the application will be issued unless the Commission orders a hearing upon request or upon its own motion.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84-6982 Filed 3-14-84; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 13816; 812-5717]

Ryland Acceptance Corporation Three; Application for an Order Exempting Applicant From All Provisions of the Act

March 9, 1984.

Notice is hereby given that Ryland Acceptance Corporation Three ("Applicant") 10221 Wincopin Circle, P.O. Box 1110, Columbia, Maryland 21044, filed an application on December 8, 1983, for an order, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act"), exempting it from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant represents that it is a limited purpose financing corporation organized under the laws of the State of Maryland. Applicant states that it is a wholly-owned subsidiary of Ryland Mortgage Company ("RMC"), which is in turn wholly-owned by The Ryland Group, Inc. ("Ryland"). Ryland is engaged in the construction and sales of single family homes. Applicant further states that it was organized for the limited purpose of facilitating the long-term financing of residental mortgage loans on single family residences constructed by Ryland or other homebuilders who participate in Applicant's mortgage-backed bond program described below.

Applicant states that it has registered under the Securities Act of 1933, an aggregate of $250,000,000 of its GNMA-Collateralized Bonds ("Bonds"). Applicant further states that the Bonds will be issued in series and sold to the public through one or more underwriters. Each series of the Bonds will be separately secured by a pledge of "fully modified pass-through" mortgage backed certificates ("GNMA Certificates") and certain reserve funds to a Trustee under an Indenture, which has been qualified under the Trust Indenture Act of 1939. Applicant and the Trustee will enter into an Indenture Supplement relating to each series of Bonds. The GNMA Certificates will be issued by RMC or another mortgage company approved by the Government National Mortgage Association ("GNMA"). Applicant states that each GNMA Certificate represents an interest in a pool of mortgage loans, fully guaranteed as to principal and interest by GNMA, which obligation is backed by the full faith and credit of the United States.

According to the application, Applicant will purchase from RMC, GNMA Certificates issued by RMC, with a portion of the proceeds from the sale of a series of the Bonds and then pledge the certificates in their entirety to the Trustee. These GNMA Certificates will be backed by mortgage loans on residences primarily built by Ryland. Applicant states RMC will utilize the proceeds of the sale of its GNMA Certificates to repay short term indebtedness incurred in connection with the origination of mortgage loans.

Applicant further represents that GNMA Certificates backed by mortgage loans on residences built by a homebuilder other than Ryland who participates in Applicant's bond program will be owned by a limited purpose financing subsidiary ("Finance Company") of that builder. These GNMA Certificates will be pledged in their entirety to Applicant as collateral for a loan of a portion of the proceeds from Applicant's sale of a series of the Bonds. Applicant represents that its security interest in the GNMA Certificates will be assigned to the Trustee. Applicant states that the Finance Company will utilize the proceeds to repay indebtedness incurred in connection with the origination of mortgage loans owned by that Finance Company.

Applicant represents that payments on all GNMA Certificates will be made directly to the Trustee and will be applied to payment of principal and interest on the series of Bonds secured by those GNMA Certificates. Cash flow from payments on the GNMA Certificates, together with certain reserve funds established under the Indenture, are intended to provide cash sufficient to make all required principal and interest payments on the series of the Bonds. The application states that loans made to a Finance Company by Applicant will be repaid from payments on the GNMA Certificates pledged by that Finance Company.

Applicant represents, in addition, that RMC or other seller-servicers approved by GNMA will service the mortgage loans underlying the GNMA

Certificates. According to the application, the servicer of the mortgage loans is obligated to service the loans and to take appropriate action, including foreclosure, with respect to any mortgage loan in default. Applicant states that all funds collected by the servicer with respect to the mortgage loans will be paid directly to the Trustee.

Applicant claims that if its business consisted solely of purchasing GNMA Certificates from RMC with proceeds from the sale of the Bonds, it would be exempt from registraton under the Act pursuant to the exemption afforded by Section 3(c)(5)(C) of the Act. Furthermore, Applicant asserts that as long as it is "primarily engaged" in purchasing GNMA Certificates from RMC, it remains exempt under Section 3(c)(5)(C) of the Act. However, Applicant anticipates that its asset composition may raise a question as to the applicability of the Act to Applicant's business because of the amount of assets consisting of loans receivable from Finance Companies.

Applicant asserts that an order exempting it from all provisions of the Act is necessary and appropriate in the public interest because Applicant's bond program furthers the public policy of increasing the availability of funds for residential mortgage loans. Applicant believes it should not be considered an investment company or should be exempt from the Act and that application of the Act is not necessary to the protection of investors. Applicant states that its Bonds have been registered under the Securities Act of 1933, its Indenture has been qualified under the Trust Indenture Act of 1939 and the GNMA Certificates which represent the primary collateral for the Bonds are backed by the full faith and credit of the United States. Applicant further states that the two outstanding series of Bonds have received the highest rating from Standard & Poor's Corporation, and Applicant expects each successive series also to receive such a rating. Finally, applicant asserts that if it does not receive the requested relief, it may be necessary for Applicant to discontinue allowing participation in its bond program by builders other than Ryland.

Notice is further given that any interested person wishing to request a hearing on the application may, not later than April 3, 1984, at 5:30 p.m., do so by submitting a written request setting forth the nature of his interest, the reasons for his request, and the specific issues, if any, of fact or law that are disputed, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of the request should be served personally or by mail upon Applicant at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed with the request. After said date an order disposing of the application will be issued unless the Commission orders a hearing upon request or upon its own motion.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84-6961 Filed 3-14-84; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 20740; SR-SCCP-84-02]

Filing and Immediate Effectiveness of Proposed Rule Change by the Stock Clearing Corporation of Philadelphia

March 9, 1984.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") 15 U.S.C. 78s(b)(1), the Stock Clearing Corporation of Philadelphia ("SCCP"), on March 1, 1984, filed with the Commission a proposed rule change that would modify SCCP's over-the-counter ("OTC") trade comparison system.[1] The Commission is publishing this notice to solicit comments from persons interested in the proposed rule change.

The SCCP comparison process for OTC transactions begins when SCCP members submit to SCCP trade data on the first day after trade date ("T+1"). SCCP submits that data to NSCC, and, on the night of T+1, NSCC validates and attempts to match the data, arriving at a contract list that is provided to SCCP members, through SCCP, on the morning of T+2. Until recently, NSCC performed a two-step comparison process on the night of T+1. First, NSCC attempted to exact match of the data submitted, comparing the clearing and executing brokers and the quantities and prices submitted by each side. Second, if a transaction remained uncompared, NSCC would summarize the trade data with respect to the quantity of shares traded for each clearing broker by each executing broker. When the clearing and executing broker information matched, NSCC attempted to match quantities, either fully or partially. After T+1, SCCP, though NSCC, provides its members with supplemental comparison mechanisms, such as Withholds, Demand Withholds, As-Ofs, and Demand As/Ofs. For these mechanisms, NSCC has performed only the first step.

The SCCP proposal will make available to SCCP participants an additional step, "Match 3," which SNCC has added to the comparison process for all trade data. In this step, NSCC ignores the major and minor executing broker data.[2] When a compared trade results from this step, NSCC will notify SCCP, and SCCP will report the match to its participants.[3]

SCCP indicates that the new comparison procedure will reduce the number of uncompared OTC trades. Under the proposal, SCCP now will be able to compare trades that previously would have been uncompared because of inaccurate executing broker data. Even though that data will be ignored, SCCP has stated clearly in a Participant Bulletin that participants still must submit for comparison correct executing broker data.

SCCP states that the rule change effects a change in an existing SCCP service that does not adversely affect either the safekeeping of securities in SCCP's control or for which it is responsible. The proposed rule change has become effective under Section 19(b)(3)(A) of the Act and Rule 19b-4 thereunder. At any time within sixty days of the filing of the proposal, the Commission can summarily abrogate the rule change if such action is necessary or appropriate in the public interest, for

---

[1] SCCP's OTC trade comparison is linked to National Securities Clearing Corporation's ("NSCC") National OTC Trade Comparison System. SCCP's proposed rule change reflects a recent change in NSCC's System that the Commission has already processed under 19(b) of the Act. Securities Exchange Act Release No. 20516 (December 28, 1983), 49 FR 181 (January 3, 1984), relating to File No. SR-NSCC-83-13.

[2] For example, suppose that, on T+1, Clearing Broker A submits data showing that Executing Broker X has three purchases of 100, 200, and 300 shares against Clearing Broker B and Executing Broker Y. Clearing Broker B submits data showing that Executing Broker Y had one sale of 600 shares to Executing Broker X, Clearing Broker A. In the first step, NSCC, on SCCP's behalf, would attempt an exact match of the data submitted, but this would result in an uncompared trade. In the second step, NSCC would summarize the quantity of shares traded by Executing Broker X (600) and find a matched trade with the data submitted by Clearing Broker B. Under the proposed rule change, for trades that do not match on executing broker data, but do match on clearing members and quantity of shares traded, NSCC will generate a comparison. Thus, if Clearing Broker A submits the same data as above, but Clearing Broker B submits a trade of 600 to Executing Broker F, Clearing Broker A, a compared trade would be generated.

[3] Asterisks will be inserted in place of executing broker data for T+1 trade data that is compared through this step. For supplemental comparison mechanisms, supplemental contract lists will indicate whenever compared trades result from the third step.

the protection of investors, or otherwise in furtherance of the purposes of the Act.

If you wish to comment on the proposal, please submit your written comments to the Commission within twenty-one days from the date this notice is published in the **Federal Register**. Please file six copies of your comments with the Secretary of the Commission, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Please make sure that your comments refer to File No. SR-SCCP-84-02.

Copies of the filing, exhibits, and comments can be inspected at the Securities and Exchange Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. Copies of the filing also are available at SCCP's principal office.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84-6984 Filed 3-14-84; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-20741; File No. SR-MSE-84-3]

Self-Regulatory Organizations; Proposed Rule Change by Midwest Stock Exchange, Inc. Relating to Net Capital Requirements

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on February 8, 1984, the Midwest Stock Exchange, Incorporated filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Article XI, Rule 3, Section (c)(1) of the Rules of the Midwest Stock Exchange, Incorporated is hereby amended as follows:

Additions italicized—[Deletions Bracketed]

ARTICLE XI

Net Capital and Aggregate Indebtedness

Rule 3.—Monthly Financial Statements

(c)(1) For those member organizations for which this Exchange is the Designated Examining Authority, monthly financial statements consisting of FOCUS Part II or Part IIA Report shall be filed with the Exchange for a minimum period of three months unless otherwise specified in writing by any such member organization which:

(i) No change in text.

(ii) Fails to maintain net capital equal to or greater than 8⅓% of its aggregate indebtedness, or [6%] *5%* of its aggregate debits if it computes its net capital requirements under the alternate form, or

(iii) Through (viii) No change in text.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections (A), (B) and (C) below of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The Net Capital Rule, SEC Rule 15c3-1(f), "Alternate Net Capital Requirement", was amended so that a broker or dealer qualified under paragraph (f) would be required to maintain net capital equal to the greater of $100,000 or two percent of aggregate debit items computed in accordance with the Formula for Determination of Reserve Requirements for Brokers or Dealers. The previous requirement was 4% of aggregate debit items. In accordance with the change to 15c3-1(f), Rule 17a-11(b)(2) was amended to require brokers or dealers making computation pursuant to 15c3-1(f) to file Part II or Part IIA of Form X-17A-5 monthly if their net capital, at any point during a month, is less than five percent (5%) of aggregated debit items. The previous requirement was six percent (6%) The proposed rule change adopts the five percent (5%) provision set forth in Rule 17a-11(b)(2).

The proposed rule change is consistent with Section 6(b)(1) of the Securities Exchange Act of 1934, in that the amendment will provide the Exchange the capacity to enforce compliance by its members with the provisions of the rules and regulations of the Securities and Exchange Commission and the rules of the Exchange.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Midwest Stock Exchange, Incorporated does not believe that any burden will be placed on competiton as a result of the proposed rule change.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Comments have neither been solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 5th St., NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the caption above and should be submitted within 21 days after the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: March 9, 1984.

George A. Fitzsimmons,

Secretary.

[FR Doc. 84-6985 Filed 3-14-84; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-20742; File No. SR-MS RB-84-4]

Self-Regulatory Organizations; Proposed Rule Change by Municipal Securities Rulemaking Board Relating to Conduct of Municipal Securities Business

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on February 24, 1984, the Municipal Securities Rulemaking Board filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Municipal Securities Rulemaking Board is filing herewith an interpretation of Board rule G-17 (hereafter referred to as the "proposed rule change") concerning the conduct of municipal securities business. The interpretation concerns statements made in connection with offerings by municipal securities dealers of bonds which have been stripped of their coupons or of the stripped coupons themselves. The text of the proposed rule change, contained as a Board interpretive letter dated January 4, 1984, is as follows:

. . . [a]ny gain derived from the sale of coupons stripped from a municipal bond or from the sale of a bond stripped of its coupon generally is considered by the Internal Revenue Service to be taxable to the recipient of the gain. Provisions of the Internal Revenue Code specifically address the treatment of a transaction in a "stripped" bond, and provide that gain in excess of the allocated cost basis of such bond is taxable at ordinary income or capital gains rates. Although the treatment of "stripped' coupons is not as clear, certain I.R.S. rulings state clearly that any gain received from a disposition of such coupons is not considered tax-exempt interest.

. . . Although the Board does not express a view on the appropriate tax treatment of particular transactions, given our understanding of the position taken by the I.R.S. with respect to these types of transactions it appears that a dealer representing to a customer that any gain subsequently received by the customer on a "stripped" bond offered for sale to the customer by the dealer would be tax-exempt would be acting in violation of these provisions of rule G-17.

Further, in view of the fact that the tax-exempt nature of a municipal instrument is a highly material consideration in the investment decisions of most persons investing in municipal securities, there appears to be an additional obligation that the dealer advise the customer of the potential adverse tax consequences of a transaction in a "stripped" bond or "stripped" coupons. Therefore, a dealer offering to sell to a customer a municipal bond that has been stripped of its coupons, or the coupons stripped from a bond, without advising the customer that any gain or income received from the subsequent disposition of the "stripped" bond or the "stripped" coupons may be taxable to the customer would also appear to be acting in violation of the provisions of rule G-17 and the antifraud provisions of the federal securities laws. The provisions of rule G-17 would also appear applicable to a dealer who induces or attempts to induce a holder of a municipal security to sell a "stripped" coupon or a "stripped" bond without advising such person of the possible adverse tax consequences of this action.

The full text of the interpretive letter is on file at the offices of the Board.

II. Self-Regulatory Organization's Statement on the Purpose of, and Statutory Basis for, the Proposed Rule Change

A. Self-Regulatory Organization's Statement on Purpose of, and Statutory Basis for, the Proposed Rule Change

Recently, the Board was asked to explain the application of its rules to transactions in municipal bonds which have been stripped of their coupons and in the coupons stripped from such bonds. The inquiry concerned dealers who describe the income derived from stripped bonds or their stripped coupons as tax-exempt or who sell these securities without disclosing information concerning their possible tax consequences.

Board rule G-17 requires that municipal securities professionals deal fairly with all persons and must not "engage in any deceptive, dishonest or unfair practice."

The Board understands that, under the Tax Equity and Fiscal Responsibility Act of 1982 and IRS tax decisions, any gain derived from stripped-coupon municipal bonds and stripped coupons is not exempt from federal income taxation. The Board has determined that a dealer describing such securities as tax-exempt is in violation of rule G-17.

Further, in view of the fact that the tax-exempt nature of a municipal instrument is a highly material consideration in the investment decisions of most persons investing in municipal securities, the Board believes that the dealer should advise the customer of the potential adverse tax consequences of a transaction in a "stripped" bond or "stripped" coupons.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Board believes that the proposed rule change will not have any impact on competition since it merely clarifies the application of rule G-17 and applies equally to all municipal securities brokers and dealers.

C. Self-Regulatory Organization's Statement of Comments on Proposed Rule Change Received From Members, Participants and Others

The Board neither solicited nor received comments on the proposed rule change from members, participants or others. As noted above, the interpretation was issued in response to a question from an industry member concerning the obligation of a dealer to describe the tax consequences of investments in municipal securities stripped of coupons or the stripped coupons themselves.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule changes, or

(B) Institute proceedings to determine whether the proposed rule changes should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Copies of the submission, all subsequent amendments,

all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section. Copies of such filing also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted within 21 days after the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

March 9, 1984.

Secretary.

[FR Doc. 84-6986 Filed 3-14-84; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No. 3001; Amdt. No. 2]

Alabama; Declaration of Physical Disaster Loan Area

The above numbered declaration (48 FR 55793 and Amendment No. 1—48 FR 57396) is amended pursuant to the Secretary of Agriculture's designation authorizing Farmers Home Administration (FmHA) to accept emergency loan applications in the following area:

STATE OF ALABAMA

FmHA		Incident and date	Counties
Number	Date		
S099	2/28/84	Losses caused by high temperatures and drought beginning May 1, 1983, and continuing through Sept. 30, 1983.	Butler, Coffee, Conecuh, Covington, Crenshaw, Escambia.

As a result of this designation, I have determined the above counties in the State of Alabama constitute a disaster loan area for agricultural enterprises which are ineligible for disaster assistance from the FmHA because of alien status; corporation, partnerships and cooperatives not being primarily engaged in farming; farm owners who do not operate their farms; etc., and for Economic Injury Disaster loans for non-farm small business concerns.

The interest rates for eligible applicants under this designation are as follows:

	Percent
Agricultural enterprises with credit available elsewhere	10.5
Agricultural enterprises without credit available elsewhere	8.0
Non-farm small businesses (economic injury)	8.0

Loan applications for Physical Disaster Loans from eligible agricultural enterprises may be filed for a period not to exceed thirty days from the date of the letter of referral from FmHA, provided that the application for EM assistance from FmHA or the formal written request for a letter of referral by FmHA was filed within the time limits set forth in the FmHA designation. Loan applications for Economic Injury for non-farm small businesses may be filed until the close of business on August 28, 1984. The number assigned to this disaster is 3001 for Physical Damage to Eligible Agricultural Enterprises and is 610001 for Economic Injury. Eligible enterprises may file applications for loans for physical damage or economic injury at: Small Business Administration, Area 2 Disaster Office, 75 Spring Street SW, Suite 822, Atlanta, Georgia 30303, (800) 544-3455 and in Georgia (800) 241-5625 or other locally announced locations.

(Catalog of Federal Domestic Assistance Programs Nos. 59002 and 59008)

Dated: March 9, 1984.

Bernard Kulik,

Deputy Associate Administrator for Disaster Assistance.

[FR Doc. 84-6995 Filed 3-14-84; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 3034; Amdt. No. 1]

Iowa; Declaration of Physical Disaster Loan Area

The above numbered declaration (49 FR 7321) is amended pursuant to the Secretary of Agriculture's designation authorizing Farmers Home Administration (FmHA) to accept emergency loan applications in the following area:

STATE OF IOWA—Continued

FmHA		Incident and date	Counties
Number	Date		
S118	2/18/84	Damages and losses to crops caused by drought beginning June 1, 1983, and continuing through Sept. 30, 1983.	Audubon, Black Hawk, Bremer, Buchanan, Carroll, Cerro Gordo, Cherokee, Clay, Clayton, Crawford, Dickinson, Dubuque, Emmet, Fayette, Floyd, Fremont, Greene, Guthrie, Hancock, Howard, Humboldt, Ida, Kossuth, Lyon, Osceola, Palo Alto, Plymouth, Sac, Shelby, Webster, Winnebago, and Woodbury.

As a result of this designation, I have determined the above counties in the State of Iowa constitute a disaster loan area for agricultural enterprises which are ineligible for disaster assistance from the FmHA because of alien status; corporations, partnerships and cooperatives not being primarily engaged in farming; farm owners who do not operate their farms; etc., and for Economic Injury Disaster loans for non-farm small business concerns.

The interest rates for eligible applicants under this designation are as follows:

	Percent
Agricultural enterprises with credit available elsewhere	10.5
Agricultural enterprises without credit available elsewhere	8.0
Non-farm small businesses (economic injury)	8.0

Loan applications for Physical Disaster Loans from eligible agricultural enterprises may be filed for a period not to exceed thirty days from the date of the letter of referral from FmHA, provided that the application for EM assistance from FmHA or the formal written request for a letter of referral by FmHA was filed within the time limits set forth in the FmHA designation. Loan applications for Economic Injury for non-farm small businesses may be filed until the close of business on August 21, 1984. The number assigned to this disaster is 3034 for Physical damage to eligible agricultural enterprises and is 612901 for Economic Injury. Eligible enterprises may file applications for loans for physical damage or economic injury at: Small Business Administration, Area 3 Disaster Office, 2306 Oak Lane, Suite 110, Grand Prairie,

Texas 75051, (800) 527-7735 and in Texas (800) 442-7206 or other locally announced locations.

(Catalog of Federal Domestic Assistance Programs Nos. 59002 and 59008)

Dated: March 9, 1984.

Bernard Kulik,

Deputy Associate Administrator for Disease Assistance.

[FR Doc. 84-6998 Filed 3-14-84; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 3037; Amdt. No. 2]

Oklahoma; Declaration of Physical Disaster Loan Area

The above numbered declaration (49 FR 1309 and Amendment No. 1—49 FR 7322) is amended pursuant to the Secretary of Agriculture's designation authorizing Farmers Home Administration (FmHA) to accept emergency loan applications in the following areas:

STATE OF OKLAHOMA

FmHA		Incident and date	Counties
Number	Date		
S111	2/28/84	Damages and losses to crops caused by drought and high temperature beginning June 1, 1983, and continuing through Oct. 10, 1983.	Delaware, Muskogee, Rogers, Tulsa.

As a result of this designation, I have determined the above counties in the State of Oklahoma constitute a disaster loan area for agricultural enterprises which are ineligible for disaster assistance from the FmHA because of alien status; corporations, partnerships and cooperatives not being primarily engaged in farming; farm owners who do not operate their farms; etc., and for Economic Injury Disaster loans for non-farm small business concerns.

The interest rates for eligible applicants under this designation are as follows:

	Percent
Agricultural enterprises with credit available elsewhere	10.5
Agricultural enterprises without credit available elsewhere	8.0
Non-farm small businesses (economic injury)	8.0

Loan applications for Physical Disaster Loans from eligible agricultural enterprises may be filed for a period not to exceed thirty days from the date of the letter of referral from FmHA, provided that the application for EM assistance from FmHA or the formal written request for a letter of referral by FmHA was filed within the time limits set forth in the FmHA designation. Loan applications for Economic Injury for non-farm small businesses may be filed until the close of business on August 28, 1984. The number assigned to this disaster is 3037 for Physical damage to eligible agricultural enterprises and is 611001 for Economic Injury. Eligible enterprises may file applications for loans for physical damage or economic injury at: Small Business Administration, Area 3 Disaster Office, 2306 Oak Lane Suite 110, Grand Prairie, Texas 75051, (800) 527-7735 and in Texas (800) 442-7206 or other locally announced locations.

(Catalog of Federal Domestic Assistance Programs Nos. 59002 and 59008)

Dated: March 9, 1984.

Bernard Kulik,

Deputy Associate Administrator for Disaster Assistance.

[FR Doc. 84-6996 Filed 3-14-84; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 3026; Amdt. No. 46]

Virginia; Declaration of Physical Disaster Loan Area

The above declaration (48 FR 55796, Amendments No. 1—48 FR 57396, No. 2—49 FR 2041, No. 3—49 FR 2042, No. 4—49 FR 2042, and No. 5—49 FR 7179) is amended pursuant to the Secretary of Agriculture's designation authorizing Farmers Home Administration (FmHA) to accept emergency loan applications in the following area:

STATE OF VIRGINIA

FmHA		Incident and Date	County
Numer	Date		
S090	2/28/84	Damages and losses to crops caused by drought beginning June 7, 1983, and continuing through Aug. 29, 1983.	Pulaski.

As a result of this designation, I have determined the above county in the State of Virginia constitutes a disaster loan area for agricultural enterprises which are ineligible for disaster assistance from the FmHA because of alien status; corporations, partnerships and cooperatives not being primarily engaged in farming; farm owners who do not operate their farms; etc., and for Economic Injury Disaster loans for non-farm small business concerns.

The interest rates for eligible applicants under this designation are as follows:

	Percent
Agricultural enterprises with credit available elsewhere	10.5
Agricultural enterprises without credit available elsewhere	8.0
Non-farm small businesses (economic injury)	8.0

Loan applications for Physical Disaster Loans from eligible agricultural enterprises may be filed for a period not to exceed thirty days from the date of the letter of referral from FmHA, provided that the application for EM assistance from FmHA or the formal written request for a letter of referral by FmHA was filed within the time limits set forth in the FmHA designation. Loan applications for Economic Injury for non-farm small businesses may be filed until the close of business on August 28, 1984. The number assigned to this disaster is 3026 for Physical Damage to Eligible Agricultural Enterprises and is 609101 for Economic Injury. Eligible enterprises may file applications for loans for physical damage or economic injury at: Small Business Administration, Area 2 Disaster Office, 75 Spring Street SW, Suite 822, Atlanta, Georgia 30303, (800) 544-3455 and in Georgia (800) 241-5625 or other locally announced locations.

(Catalog of Federal Domestic Assistance Programs Nos. 59002 and 59008)

Dated: March 9, 1984.

Bernard Kulik,

Deputy Associate Administrator for Disaster Assistance.

[FR Doc. 84-6997 Filed 3-14-84; 8:45 am]

BILLING CODE 8025-01-M

Region IX Advisory Council; Public Meeting

The Small Business Administration, Region IX Advisory Council, located in the geographical area of Phoenix, will hold a public meeting at 10:00 a.m. on Thursday, April 19, 1984, at the Holiday Inn Metrocenter, 2532 West Peoria, Phoenix, Arizona, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present.

For further information, write or call Walter Fronstin, District Director, U.S. Small Business Administration, 3030 North Central Avenue, Suite 1201,

Phoenix, Arizona 85012, telephone: (602) 241-2206.

Jean M. Nowak,

Director, Office of Advisory Councils.

March 8, 1984.

[FR Doc. 84-6994 Filed 3-14-84; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Vallejo, California

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Vallejo, California.

FOR FURTHER INFORMATION CONTACT: D. L. Eyres, District Engineer, Federal Highway Administration, P.O. Box 1915, Sacramento, California 95809, telephone: (916) 440-3541.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation will prepare an environmental impact statement (EIS) on a proposal to upgrade approximately 3.2 miles of Route 37 from the Napa River Bridge (#23-64) to the Sage Street overcrossing Bridge (#23-94) within the City of Vallejo, County of Solano, California. The upgrading is necessary to accommodate existing and projected traffic volumes and would be a multilane divided facility of either expressway or full freeway standards.

The proposed improvement would have interchanges to Sacramento Street, Sonoma Boulevard (State Route 29) and Fairgrounds Drive. Additionally, there would be grade separation structures at Broadway, the Southern Pacific Railroad right of way, and Mini Drive. The Sage Street structure, now existing, will remain unchanged.

There is a need to relieve traffic congestion and improve safety on the existing Sage Street to Napa River Bridge segment of Route 37. State Route 37 was initially a two-lane rural facility; however, urbanization of the area has resulted in piecemeal upgrading of the highway. The existing highway segment consists of a variety of roadway widths and types. Moving easterly from the Napa River Bridge, this section of roadway includes a four-lane expressway, a 38-foot wide two-lane highway, a four-lane city street arterial, a 30-foot wide two-lane roadway, and a section of four- to six-lane full freeway.

Heavy traffic volumes combined with the substandard features of the existing facility give rise to traffic congestion especially at the signalized intersections with Sonoma Boulevard (Route 29) and Sacramento Street.

The proposed project may affect several land use types. These could include residential, commercial, public golf course, fairgrounds, and wetlands (marshland) areas; depending upon the design alternative which is finally selected.

The alternatives being considered include: (1) No Action, and (2) An expressway or a full freeway; 4 lanes initially with provision for addition of 2 lanes at some future date. Alternative #2 would be subject to design and location variations as the planning process proceeds. Further planning studies will analyze these options.

Notification describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed interest in this proposal.

Several meetings have been held on this project. They have been open to interested agencies and the general public. Additional scoping meetings will be held if there is indication for the need.

The draft EIS will be available for public and agency review and comment upon its completion.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Issued on: March 7, 1984.

D. L. Eyres,

District Engineer, Sacramento, California.

[FR Doc. 84-6817 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement; Monterey County, California

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Monterey County, CA.

FOR FURTHER INFORMATION CONTACT: C. Glenn Clinton, District Engineer, Federal Highway Administration, P.O. Box 1915, Sacramento, CA 95809, Telephone: (916) 440-2804.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation (Caltrans), will prepare an Environmental Impact Statement (EIS) on a proposal to improve the traffic capacity of Route 1 from 0.1 mile South of the Carmel River to 0.1 mile South of the Route 1/68 Interchange. The project is necessary to reduce the congested traffic conditions. Traffic averages over 30,000 vehicles per day, a volume greater than can be efficiently served by the existing two lane highway with signalized intersections. The traffic congestion problems are increased appreciably during summer months by tourist traffic to the Carmel area.

Alternatives under consideration include: (1) Take no action; (2) Add traffic lanes along the existing Route 1; (3) Construct a new facility on the adopted alignment in Hatton Canyon, easterly of the existing route.

A public meeting of the California Transportation Commission was held in February 1983 to receive comments on the Hatton Canyon Project. Several meetings with the County of Monterey have been held to identify crucial issues in the early stage of review. No further scoping meetings have been scheduled at this time. Additional meetings will be scheduled to insure that matters of importance are not overlooked.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Issued: March 6, 1984.

D. L. Eyres,

District Engineer, Sacramento, California.

[FR Doc. 84-6951 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-22-M

National Highway Traffic Safety Administration

National Driver Register Advisory Committee; Postponement of Public Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. I), notice is hereby given of the postponement of the National Driver Register Advisory Committee meeting which was to be held on March 20-21, 1984.

A delay in the Committee meeting date will enable the Committee to review some material which will not be completed by the originally scheduled meeting date. The Committee's review of this material will provide valuable advice to the Department; therefore, the meeting is being rescheduled in order to ensure that the Committee can include review of this material on its agenda. The exact dates for the rescheduled meeting will be published in the **Federal Register.**

Additional information is available from the NHTSA Executive Secretariat, Room 5221, 400 Seventh Street, SW., Washington, D.C. 20590, telephone 202-426-2870.

Issued in Washington, D.C. on March 12, 1984.

Robert E. Doherty,

Executive Secretary.

[FR Doc. 84-6993 Filed 3-14-84; 8:45 am]

BILLING CODE 4910-59-M

VETERANS ADMINISTRATION

Vermont Veterans Home, State Homes Program, Bennington, Vermont; Finding of No Significant Impact

The Veterans Administration has assessed the potential environmental impacts that may occur as a result of the proposed construction of a nursing home addition and renovation of support facilities at the Vermont Veterans Home, Bennington, Vermont. The project involves the construction of a 50-bed nursing home care addition to the existing 135-bed nursing home facility at the Bennington, Vermont Veterans Home. The estimated project cost is approximately $5 million. This is a magnitude estimate and is subject to revisions. Project impacts will involve construction activities affecting the immediate veterans home environment.

A beneficial impact will be achieved through the addition of 50 new beds which will provide expanded health care service to Vermont veterans. The project will also provide additional employment and income to the local area surrounding the facility.

Construction related traffic may affect the flow of on-site traffic, and construction noise associated with the development of the new nursing home wing may cause annoyance to occupants of adjacent residences. Complaints about noise usually give rise to a controversial situation. The impact of dust and fumes that will exist during construction will be of short effect lasting only during the construction phase of project development. In relation to both construction and operation, the new facility will be built in accordance with applicable Federal, State and local air quality standards.

The significance of the identified impacts has been evaluated relative to the considerations of both context and intensity, as defined by the Council on Environmental Quality (Title 40, 1508.27).

This Environmental Assessment has been performed in accordance with the requirements of the National Environmental Policy Act Regulations, §§ 1501.3 and 1508.9, Title 40 Code of Federal Regulations. A "Finding of No Significant Impact" has been reached based on the information presented in this assessment.

The assessment is being placed for public examination at the Veterans Administration, Washington, D.C. Persons wishing to examine a copy of that document may do so at the following office:

Mr. William F. Sullivan, Director, Office of Environmental Affairs (10A4A4), Room 601, Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C., (202/389-2681). Questions or requests for single copies of the Environmental Assessment may be addressed to the above.

By direction of the Administrator.

Dated: March 8, 1984.

Everett Alvarez, Jr.,

Deputy Administrator.

[FR Doc. 84-6904 Filed 3-14-84; 8:45 am]

BILLING CODE 8320-01-M

Medical Research Service Merit Review Boards; Meetings

The Veterans Administration gives notice pursuant to Pub. L. 92-463 of the meetings of the following Merit Review Boards.

Merit Review Board and date	Time	Location
Surgery: Mar 26, 1984.	8 a.m. to 5 p.m.	Vista International Hotel.[1]
Alcoholism and Drug Dependence: Mar. 31, 1984.	9 a.m. to 3 p.m.	Sheraton St. Louis Hotel.[2]
Endocrinology:		
Apr. 9, 1984	8 a.m. to 5 p.m.	Vista International Hotel.[1]
Apr. 10, 1984	do	Do.
Mental Health and Behavioral Sciences:	do	Hotel Washington.[3]
Apr. 12, 1984	do	Do.
Apr. 13, 1984	do	Do.
Cardiovascular Studies:		
Apr. 19, 1984	do	Vista International Hotel.[1]
Apr. 20, 1984	do	Do.
Oncology: Apr. 20, 1984.	do	Do.
Gastroenterology:		
Apr. 24, 1984	do	Do.
Apr. 27, 1984	do	Do.
Neurobiology:		
Apr. 26, 1984	do	Do.
Apr. 27, 1984	do	Do.
Respiration:		
Apr. 26, 1984	7 p.m. to 11 p.m.	Do.
Apr. 27, 1984	8 a.m. to 5 p.m.	Do.
Basic Sciences:		
Apr. 30, 1984	do	Hotel Washington.[3]
May 1, 1984	do	Do.
Immunology:		
May 3, 1984	do	Vista International Hotel.[1]
May 4, 1984	do	Do.
Infectious Disease:		
May 3, 1984	do	Do.
Nephrology:		
May 8, 1984	do	Do.
May 9, 1984	do	Do.
Hematology:		
May 8, 1984	do	Do.

[1] Vista International Hotel—1400 M Street NW., Washington, D.C. 20005.

[2] Sheraton St. Louis Hotel—910 North Seventh Street, St. Louis, MO 63101.

[3] Hotel Washington—15th and Pennsylvania Avenue, NW., Washington, D.C. 20004.

These meetings will be for the purpose of evaluating scientific merit of research conducted in each specialty by Veterans Administration investigations working in Veterans Administration Medical Centers and clinics.

The meetings will be open to the public up to the seating capacity of the rooms at the start of each meeting to discuss the general status of the program. All of the Merit Review Board meetings will be closed to the public after approximately one-half hour from the start, for the review, discussion and evaluation of initial, and renewal research projects.

The closed portion of the meetings involve: discussion, examination, reference to, and oral review of site visits, staff and consultant critiques of research protocols, and similar documents. During this portion of the meeting, discussion and recommendations will deal with qualifications of personnel conducting the studies, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, as well as research information, the premature disclosure of which would be likely to significantly frustrate implementation of proposed agency action regarding such research projects. As provided by subsection 10(d) of Pub. L. 92-463, as amended by Pub. L. 94-409, closing portions of these meetings is in accordance with 5 U.S.C. 552b(c)(6) and (9)(B). Because of the limited seating capacity of the rooms, those who plan to attend should contact Mr. Howard M. Berman, Chief, Merit Review Board Staff Division, Medical Research Service, Veterans Administration, Washington,

DC, (202) 389-5065 at least five days prior to each meeting. Minutes of the meeting and rosters of the members of the Boards may be obtained from this source.

Dated: March 5, 1984.

By direction of the Administrator.

Rosa Maria Fontanez,

Committee Management Officer.

[FR Doc. 84-6903 Filed 3-14-84; 8:45 am]

BILLING CODE 8320-01-M

Wage Committee; Meetings

The Veterans Administration, in accordance with Pub. L. 92-463, gives notice that meetings of the Veterans Administration Wage Committee will be held on:

Thursday, April 12, 1984, at 2:30 p.m.
Thursday, April 26, 1984, at 2:30 p.m.
Thursday, May 10, 1984, at 3:00 p.m.
Thursday, May 24, 1984, at 2:30 p.m.
Thursday, June 7, 1984, at 2:30 p.m.
Thursday, June 21, 1984, at 2:30 p.m.

The meetings will be held in Room 304, Veterans Administration Central Office, 810 Vermont Avenue, NW., Washington, DC 20420.

The Committee's purpose is to advise the Chief Medical Director on the development and authorization of wage schedules for Federal Wage System (blue-collar) employees.

At these meetings the Committee will consider wage survey specifications, wage survey data, local committee reports and recommendations, statistical analyses, and proposed wage schedules.

All portions of the meetings will be closed to the public because the matters considered are related solely to the internal personnel rules and practices of the Veterans Administration and because the wage survey data considered by the Committee have been obtained from officials of private business establishments with a guarantee that the data will be held in confidence. Closure of the meetings is in accordance with subsection 10(d) of Pub. L. 92-463, as amended by Pub. L. 94-409, and as cited in 5 U.S.C. 552(b)(c)(2) and (4).

However, members of the public are invited to submit material in writing to the Chairman for the Committee's attention.

Additional information concerning these meetings may be obtained from the Chairman, Veterams Administration Wage Committee, Room 1175, 810 Vermont Avenue, NW., Washington, DC 20420.

Dated: March 1, 1984.

By direction of the Administrator.

Rosa Maria Fontanez,

Committee Management Officer.

[FR Doc. 84-6902 Filed 3-14-84; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 49, No. 52
Thursday, March 15, 1984

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Item
Civil Aeronautics Board	1
Consumer Product Safety Commission	2
Equal Employment Opportunity Commission	3
Federal Election Commission	4
Federal Energy Regulatory Commission	5
Federal Deposit Insurance Corporation	6, 7, 8
Federal Home Loan Bank Board	9
Federal Maritime Commission	10
Federal Reserve System	11
Libraries and Information Science National Commission	12

1

CIVIL AERONAUTICS BOARD

TIME AND DATE: 10:00 a.m., March 19, 1984.

PLACE: Room 1027 (Open), Room 1012 (Closed), 1825 Connecticut Avenue, NW., Washington, D.C. 20428.

SUBJECT:

1. Ratification of Items Adopted by Notation.
2. Docket 41321, *British American Air, Inc. Fitness Investigation;* Order Declining Review. (Memo 2054–A, 2054–B, OGC)
3. Commuter carrier fitness determination of Chisum Flying Service of Alaska, Inc. (Memo 2268, BDA)
4. Commuter carrier fitness determination of Hobbs-Coldfarb Enterprises, Inc. d/b/a Nu-West. (Memo 2259, BDA)
5. Docket 41401, Application of Aviation Associates Limited d/b/a Westflight Aviation for certificate authority to conduct scheduled interstate transportation of persons, property and mail. (Memo 2258, BDA)
6. Docket 41681, Application of Baker Aviation, Inc. under Subpart Q for a certificate authorizing scheduled passenger and all-cargo service in Alaska. (Memo 2262, BDA)
7. Docket 41093, Application of Air West Alaska for transfer of the certificate of Delta Development Corp., d/b/a Western Yokon Air. (Memo 2270, BDA)
8. Dockets 41990 and 41991, Application of Conrad Kalitta and Connie Kalitta Services, Inc., for the transfer of the section 418 all-cargo certificate held by Jet Way, Inc. and an exemption to operate large aircraft pending Board approval of the transfer. (Memo 2263, BDA)
9. Docket 41586, Application of Southern Pacific Island Airways, Inc. for a certificate of public convenience and necessity. (U.S.-Taiwan) (Memo 2266, BIA)
10. Docket 41431, The Smoking Rule; Request for Instructions. (OGC)
11. Report on United Kingdom. (BIA)
12. Report on Italy. (BIA)
13. Report on People's Republic of China. (BIA)
14. Report on Switzerland. (BIA)
15. Report on Germany. (BIA)
16. Brazil Negotiations. (BIA)
17. Aviation Relations with Canada. (BIA)
18. Report on ECAC. (BIA)

STATUS: 1–10 Open; 11–18 Closed.

PERSON TO CONTACT: Phyllis T. Kaylor, The Secretary, (202) 673–5068.

[FR Doc. 84–6925 Filed 3–13–84; 3:10 pm]

BILLING CODE 6320–01–M

2

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: 10:00 a.m., Tuesday, March 13, 1984.

LOCATION: Logan Building, 1111–18th Street, NW., Washington, D.C.

STATUS: Open to the Public.

MATTERS TO BE CONSIDERED: The Commission met with officials of a crib manufacturing concern to discuss crib safety and the staff briefed the Commission on issues related to crib safety.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Avenue, Bethesda, MD 20207, 301–492–6800.

Dated: March 13, 1984.

Sheldon D. Butts,

Deputy Secretary.

[FR Doc. 84–7077 Filed 3–13–84; 3:33 pm]

BILLING CODE 6355–01–M

3

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DATE AND TIME: 9:30 a.m. (Eastern Time), Tuesday, March 20, 1984.

PLACE: Commission Conference Room No. 200–C on the 2d Floor of the Columbia Plaza Office Building, 2401 "E" Street NW., Washington, D.C. 20507.

STATUS: Part will be open to the public and part will be closed to the public.

MATTERS TO BE CONSIDERED:

1. Announcement of Notation Votes.
2. A Report on Commission Operations (Optional).
3. Freedom of Information Act Appeal No. 83–12–FOIA–208–SL, concerning a request for documents from ADEA case files.
4. Freedom of Information Act Appeal No. 83–12–FOIA–177–CL, concerning a request for information from ADEA charge file.
5. Freedom of Information Act Appeal No. 83–12–FOIA–175–CL, concerning a request for the Investigator's Report, Log of Investigative/Settlement Actions, Charge and Inquiry Analysis and Notes from the file of the EOS.
6. Freedom of Information Act Appeal No. 84–1–FOIA–12–NO, concerning a request for notes made at a fact-finding conference.
7. Freedom of Information Act Appeal No. 83–1–FOIA–179–CL, concerning a request for five documents from a closed Title VII case file.
8. Freedom of Information Act Appeal No. 84–1–FOIA–15–SL, concerning a request for three documents, a total of five pages in length, which were part of a closed Title VII case.
9. Proposed Revision of EEOC Regulations to Reflect the Field Reorganization.
10. Proposed Management Directive 404, "Theories of Discrimination to be Used in Investigating and Making Decisions in Federal Sector EEO Complaints Processing."

Closed

1. Litigation Authorization; General Counsel Recommendations
2. Proposed National ELI Issues List
3. Consideration of ORA Decision

Note.—Any matter not discussed or concluded may be carried over to a later meeting. (In addition to publishing notices on EEOC Commission Meetings in the **Federal Register**, the Commission also provides recorded announcements a full week in advance on future Commission sessions. Please telephone (202) 634–6748 at all times for information on these meetings).

CONTACT PERSON FOR MORE INFORMATION: Treva McCall, Executive Secretary to the Commission at (202) 634–6748.

This Notice Issued March 13, 1984.

Dated: March 13, 1984.

Treva McCall,

Executive Secretary to the Commission.

[FR Doc. 84–7057 Filed 3–13–84; 1:32 pm]

BILLING CODE 6570–06–M

4

FEDERAL ELECTION COMMISSION

DATE AND TIME: 10:00 a.m., Tuesday, March 20, 1984.

PLACE: 1325 K Street, NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED: Compliance. Litigation. Audits. Personnel.

* * * * *

DATE AND TIME: 10:00 a.m., Thursday, March 22, 1984.

PLACE: 1325 K Street, NW., Washington, D.C. (Fifth Floor)

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates of future meetings
Correction and approval of minutes
Eligibility for candidates to receive Presidential Primary matching funds
Draft advisory opinion #1984-4: Shatzi Duffy, WCCL-PAC Dir., Wisconsin Citizens Concerned for Life PAC
Finance Committee report
Routine administrative matters

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Information Officer, Telephone: 202-523-4065.

Marjorie W. Emmons,

Secretary of the Commission.

[FR Doc. 84-7072 Filed 3-13-84; 2:37 pm]

BILLING CODE 6715-01-M

5

FEDERAL ENERGY REGULATORY COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 49 FR 9046, March 7, 1984.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 1:30 p.m., March 14, 1984.

CHANGE IN THE MEETING: The following item has been added to the agenda:

Item No.

RP-15

Docket No. and Company

RP83-65-000, Alabama-Tennessee Natural Gas Company

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-7089 Filed 3-13-84; 3:57 pm]

BILLING CODE 6712-01-M

6

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 2:30 p.m. on Monday, March 19, 1984, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors, pursuant to sections 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of Title 5, United States Code, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings, suspension or removal proceedings, or assessment of civil money penalties) against certain insured banks or officers, directors, employees, agents or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(6), (c)(8), and (c)(9)(A)(ii)).

Note.—Some matters falling within this category may be placed on the discussion agenda without further public notice if it becomes likely that substantive discussion of those matters will occur at the meeting.

Discussion Agenda:

Application for Federal deposit insurance:

Advest Bank, a proposed new bank to be located at 31-33 Lewis Street, Hartford, Connecticut.

Application for Federal deposit insurance and for consent to establish three branches:

Citicorp Financial Services Corporation, an operating noninsured industrial loan and thrift company converting to an industrial bank located at 28 White Bridge Road, Nashville, Tennessee, for Federal deposit insurance and for consent to establish branches at 2062 North Gallatin Road, Madison, Tennessee, 8078 Kingston Pike, Knoxville, Tennessee, and 1250 Park Place Center, Memphis, Tennessee.

Request for modification of a previous order granting Federal deposit insurance:

Universal Trust Company, San Juan, Puerto Rico, an operating noninsured bank.

Application for consent to establish a remote service facility:

Beneficial Mutual Savings Bank, Philadelphia, Pennsylvania, for consent to establish a remote service facility at the Genuardi Super Market, 900 Neshaminy Boulevard, Bensalem, Pennsylvania.

Request for an exemption pursuant to section 348.4(b)(1) of the Corporation's rules and regulations:

The boston bank of Commerce, Boston, Massachusetts.

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Memorandum and Resolution re: American City Bank, Los Angeles, California.

Personnel actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(2) and (c)(6)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550-17th Street, NW., Washington, D.C.

Requests for further information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: March 12, 1984.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 84-7078 Filed 3-13-84; 3:33 pm]

BILLING CODE 6714-01-M

7

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2:00 p.m. on Monday, March 19, 1984, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous meetings.

Application for consent to merge:

Patrick Henry National Bank, Bassett, Virginia, for consent to merge, under its charter and title, with Galax Savings and Loan Association, Galax, Virginia, a non-FDIC-insured state-chartered stock savings and loan association.

Application for consent to purchase assets and assume liabilities and establish one branch:

The Banking Center, Waterbury, Connecticut, an insured mutual savings bank, for consent to purchase certain assets of and assume the liability to pay certain deposits made in the Newtown Branch of Colonial Bank, Waterbury, Connecticut, and for consent to establish that branch as a branch of The Banking Center.

Application for consent to establish two remote service facilities:

Northern Michigan Bank, Escanaba, Michigan, for consent to establish remote service facilities at 331 West Genessee, Iron River, Michigan, and at 27 North 5th Street, Crystal Falls, Michigan.

Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 45,966-L: National Bank of Odessa, Odessa, Texas.

Memorandum and Resolution re: Union Trust Company, San Juan, Puerto Rico, Banco Credito y Ahorro Ponceno, Ponce, Puerto Rico, Banco Regional, Bayamon Puerto Rico, Banco de Ahorro de Puerto Rico, San Juan (Hato Rey), Puerto Rico, Banco Economias, San German, Puerto Rico

Reports of committees and officers:

Minutes of actions approved by the standing committees of the Corporation pursuant to authority delegated by the Board of Directors.

Reports of the Division of Bank Supervision with respect to applications, requests, or actions involving administrative enforcement proceedings approved by the Director or an Associate Director of the Division of Bank Supervision and the various Regional Directors pursuant to authority delegated by the Board of Directors.

Discussion Agenda:

Memorandum and resolution re: Joint agency Statement of Policy that addresses the practice of some financial institutions of delaying a depositor's ability to withdraw funds deposited by check by encouraging those institutions to review and disclose their policies and to refrain from imposing unnecessary delays on all checks, particularly Social Security and other government checks.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550—17th Street, NW., Washington, D.C.

Requests for further information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: March 12, 1984.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 84-7079 Filed 3-13-84; 3:33 pm]

BILLING CODE 6714-01-M

8

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 6:55 p.m. on Friday, March 9, 1984, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session, by telephone conference call, to: (1) Receive bids for the purchase of certain assets of and the assumption of the liability to pay deposits made in National Bank and Trust Company of Traverse City, Traverse City, Michigan, which was closed by the Acting Comptroller of the Currency on Friday, March 9, 1984; (2) accept the bid for the transaction submitted by NBD Northwest Bank, National Association, Traverse City, Michigan, a newly-chartered national bank subsidiary of NBD Bancorporation Incorporated, Detroit, Michigan; and (3) provide such financial assistance, pursuant to section 13(c)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(2)), as was necessary to effect the purchase and assumption transaction.

In calling the meeting, the Board determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Mr. H. Joe Selby, acting in the place and stead of Director C. T. Conover (Comptroller of the Currency), that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting pursuant to subsections (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

Dated: March 12, 1984.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 84-7080 Filed 3-13-84; 3:33 pm]

BILLING CODE 6714-01-M

9

FEDERAL HOME LOAN BANK BOARD

TIME AND DATE: Thursday, March 22, 1984, at 2:30 P.M.

PLACE: Board Room, 6th Floor, 1700 G St., NW., Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Ms. Gravelee, (202-377-6970).

MATTERS TO BE CONSIDERED: Delayed Availability of Funds Policy Statement.

No. 76, March 13, 1984.

John F. Ghizzoni,

Assistant Secretary.

[FR Doc. 84-7090 Filed 3-13-84; 3:59 pm]

BILLING CODE 6720-01-M

10

FEDERAL MARITIME COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: March 8, 1984, 49 FR 8714.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9:00 a.m., March 14, 1984.

CHANGE IN THE MEETING: Withdrawal of the following item from the open session:

2. Docket No. 83-35: Licensing of Independent Ocean Freight Forwarders—Consideration of comments submitted in response to notice of proposed rulemaking and proposed final rules.

Francis C. Hurney,

Secretary.

[FR Doc. 84-6975 Filed 3-12-84; 4:16 pm]

BILLING CODE 6730-01-M

11

FEDERAL RESERVE SYSTEM

TIME AND DATE: 10:00 a.m., Monday, March 19, 1984.

PLACE: 20th Street and Constitution Avenue, NW., Washington, D.C. 20554.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Reconsideration of a proposal to seek a formal opinion in connection with disclosure requirements, chiefly under the Board's consumer regulations.
2. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
3. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: March 9, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-7044 Filed 3-13-84; 12:13 pm]

BILLING CODE 6210-01-M

12

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

DATE AND TIME: April 9, 1984, 10:00 a.m.–5:00 p.m.; April 10, 1984, 9:00 a.m.–4:15 p.m.

PLACE: Capitol Holiday Inn, Apollo Room (second floor), 550 C Street, SW., Washington, D.C. 20024.

STATUS: Open.

MATTERS TO BE DISCUSSED:

Chairman's Report
Approval of Minutes
Executive Director's Report
NCLIS FY 1984 Programs, Progress Report
Report on the Department of Education Seminars
National Council on Quality Continuing Library and Information Science Education
Report, Ad Hoc Committee on Revisions to the Higher Education Act (HEA)
IFLA 1985 Committee Report
Tour and Briefing of the National Archives and Records Service with U.S. Archivist Robert Warner
Discussion, NCLIS Program on Library and Information Needs of the Aging
Discussion, NCLIS Review Group on the Impact of Fees
Legislation on Information Policy, Robert Chartrand, Congressional Research Service, Library of Congress
Report, Program Review committee
Discussion, NCLIS Program Planning for FY 1986
New Business: UNESCO

CONTACT PERSON FOR MORE INFORMATION: Toni Carbo Bearman, Executive Director, (202) 382–0840.

Toni Carbo Bearman,
Executive Director

March 9, 1984.

[FR Doc. 84–7020 Filed 3–13–84; 9:35 am]
BILLING CODE 7527–01–M

federal register

Thursday
March 15, 1984

Part II

Office of Personnel Management

5 CFR Part 737

Post Employment Conflict of Interest; Final Rule

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 737

Post Employment Conflict of Interest

AGENCY: Office of Personnel Management.

ACTION: Final regulation.

SUMMARY: The Office of Personnel Management is issuing a final regulation under the Ethics in Government Act of 1978 which (1) designates certain positions subject to the post employment conflict of interest regulations applicable to "Senior Employees," and (2) designates certain statutory and non-statutory agencies/bureaus for the purpose of limiting the application of 18 U.S.C. 207(c).

EFFECTIVE DATE: March 15, 1984.

ADDRESS: Office of Government Ethics, Room 436H, 1900 E Street, NW, Washington, D.C. 20415.

FOR FURTHER INFORMATION CONTACT: Gary Davis or Robert Flynn at (202) 632-7642.

SUPPLEMENTARY INFORMATION: Subsection 207(d)(1)(C) of title 18 U.S.C., contained in Title V of the Ethics in Government Act of 1978 , as amended, ("the Act") (Pub. L. 95-521), gives the Director of the Office of Government Ethics ("OGE") authority to designate (1) certain employee positions for purposes of the restrictions of 18 U.S.C. 207(b)(ii) and 207(c), and (2) agencies and bureaus, within a parent department or agency, having separate and distinct subject matter jurisdiction; i.e., "separate non-statutory agencies/bureaus." Regulations implementing this authority were published on February 1, 1980 (45 FR 7402). Those regulations designated as "Senior Employees" all employees in a position in any pay system for which the basic rate of pay is equal to or greater than that for GS-17 of the General Schedule, as prescribed by 5 U.S.C. 5332, or positions which are established within the Senior Executive Service (SES) pursuant to the Civil Service Reform Act of 1978, subject to specific exemptions to be made by OGE. The regulations also set forth those separate statutory (18 U.S.C. 207(e)) agencies and bureaus and those separate non-statutory agencies/bureaus (18 U.S.C. 207(d)(1)(C)) as determined by the Director, OGE, to be qualified for designation at the time of publication.

Regarding "Senior Employee" designations, upon review of agency recommendations, made pursuant to the requirement set forth in 5 CFR 737.25(b)(1), the Director, OGE, determined that only those non-exempted positions, i.e., those subject to the prohibitions of 18 U.S.C. 207 (b)(ii) and (c), would be published in the **Federal Register**. A partial list of such "designated" position was contained in the February 1, 1980, **Federal Register** publication (45 FR 7402). That list was followed by another parital list which was published on February 8, 1980 (45 FR 8544). Annual amendments to the list were published on November 14, 1980 (45 FR 75500); March 5, 1982 (47 FR 9694) and February 25, 1983 (48 FR 8188). The combined lists represented all 18 U.S.C. 207(d)(1)(C) positions which were not exempted by the Director, OGE. This regulation consolidates and amends the previously published lists and is based upon a review of agency annual submissions made pursuant to 5 CFR 737.25(b)(1). All positions designated pursuant to 5 U.S.C. 207(d)(1)(C) not previously designated are marked by an asterisk. In accordance with 5 CFR 737.25(d), designation of such positions shall not become effective until the last day of the fifth full calendar month after this publication.

Section 737.25 of the final regulations sets forth the standards and procedures to be applied in determining which positions shall be designated. OGE also issued a memorandum to heads of departments, independent agencies, commissions and Government corporations/designated agency ethics officials dated April 26, 1979, giving additional information and guidance on this subject. Section 737.11 sets forth the standards and procedures to be applied in determining which separate statutory and non-statutory agencies and bureaus shall be designated.

The Director, OGE, in consultation with each department and agency concerned, has determined that the positions set forth below qualify for designation as "Senior Employee" positions. 5 CFR 737.33 is hereby amended accordingly. The Director has further determined, in consultation with each department or agency concerned, the separate statutory and non-statutory agencies/bureaus set forth below qualify for such designation.

The "Senior Employee" positions listed consititute all such positions designated under the provisions of subsection 207(d)(1)(C) of title 18 U.S.C. for the departments and agencies listed. In accordance with 5 CFR 737.25(d), subsequent designation of positions within the department or agencies listed shall not be effective until the last days of the fifth full calendar month after the first publication of a notice by the Director, OGE, of intention to so designate. Such fair notice shall not apply to subsequent designations made under the rule concerning position shifting set forth in 5 CFR 737.25(i).

In several cases, a position in one agency has been designated while a position of similar title in another has not. OGE has, in the exercise of its discretion, accorded some deference to the decision of a department or agency to designate a position where that decision was in favor of designation above minimum OGE standards. As OGE conducted the review necessary for these designations, it became apparent that, because of the subject matter of a department's or agency's business, the gravity of the "revolving door" problems varied significantly from agency to agency. Moreover, positions which were ostensibly similarly titled and described nevertheless had different roles from agency to agency. Also, OGE believes it desirable that the balance between post employment restrictions and impact on recruiting and retention be adjudged on an agency level, as long as minimum standards are met.

Positions automatically designated by 18 U.S.C. 207(d)(1) (A) and (B) are not included in this publication.

This is a final not a proposed regulation. The Director of the Office of Government Ethics, acting pursuant to 5 U.S.C. 553(b)(3)(A), has found good cause for waiving the general notice of proposed rulemaking and the 30 day delay in effectiveness. This regulation is interpretive in nature, exempt from 5 U.S.C. 553.

E.O. 12291, Federal Regulation

OGE has determined that this is not a major rule as defined under Section 1(B) of E.O. 12291.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities, because it only affects federal employees.

List of Subjects in 5 CFR Part 737

Conflicts of interest, Government employees.

U.S. Office of Personnel Management, Office of Government Ethics.

David H. Martin,

Director.

PART 737—[Amended]

Accordingly, the Office of Personnel Management is revising 5 CFR 737.31, 737.32, and 737.33 to read as follows:

§ 737.31 Separate statutory agencies: Designations.

In accordance with the provisions of 18 U.S.C. 207(e) and § 737.13, each of the following departments or agencies is determined, for purposes of 18 U.S.C. 207(c), to have within it separate statutory agencies or bureaus as set forth below:

Parent Agency: EXECUTIVE OFFICE OF THE PRESIDENT
Separate Statutory Components:
Office of Management and Budget
Council of Economic Advisers
National Security Council
United States Trade Representation
Council for Environmental Quality
Office of Science and Technology Policy
Office of Administration
White House Office and the Office of Policy Development
Office of the Vice President
Parent Agency: DEPARTMENT OF THE TREASURY
Separate Statutory Components:
Bureau of Alcohol, Tobacco and Firearms
Bureau of Engraving and Printing
Bureau of the Mint
Comptroller of the Currency
Internal Revenue Service
United States Customs Service
United States Secret Service
Parent Agency: FEDERAL EMERGENCY MANAGEMENT AGENCY
Separate Statutory Components: United States Fire Administration
Parent Agency: OFFICE OF PERSONNEL MANAGEMENT
Separate Statutory Components: Office of Government Ethics
Parent Agency: DEPARTMENT OF HEALTH AND HUMAN SERVICES
Separate Statutory Components:
Food and Drug Administration
Public Health Service
Social Security Administration
Parent Agency: DEPARTMENT OF TRANSPORTATION
Separate Statutory Components:
Federal Aviation Administration
Federal Highway Administration
Federal Railroad Administration
Maritime Commission
National Highway Traffic Safety Administration
Saint Lawrence Seaway Development Corporation
United States Coast Guard
Urban Mass Transportation Administration
Parent Agency: DEPARTMENT OF LABOR
Separate Statutory Components:
Bureau of Labor Statistics
Mine Safety and Health Administration
Occupational Safety and Health Administration
Parent Agency: DEPARTMENT OF JUSTICE
Separate Statutory Components:
Bureau of Prisons (including Federal Prison Industries, Inc.)
Community Relations Service
Drug Enforcement Administration
Federal Bureau of Investigation
Foreign Claims Settlement Commission
*National Institute of Justice
*Bureau of Justice Statistics
*Office of Justice Assistance, Research and Statistics
Immigration and Naturalization Service
United States Parole Commission
Parent Agency: DEPARTMENT OF DEFENSE
Separate Statutory Components:
Department of the Army
Department of the Navy
Department of the Air Force
Defense Mapping Agency
Parent Agency: DEPARTMENT OF ENERGY
Separate Statutory Components:
Federal Energy Regulatory Commission
Parent Agency: DEPARTMENT OF COMMERCE
Separate Statutory Components:
Economic Development Administration
Patent and Trademark Office
National Oceanic and Atmospheric Administration
Bureau of the Census
Parent Agency: NATIONAL CREDIT UNION ADMINISTRATION
Separate Statutory Component:
Central Liquidity Facility
Parent Agency: NATIONAL CREDIT UNION ADMINISTRATION
Separate Statutory Component:
Central Liquidity Facility

§ 737.32 Separate components of agencies or bureaus: designations.

In accordance with the provisions of 18 U.S.C. 207(d)(1)(C) and § 737.14, each of the component agencies or bureaus as set forth below is determined, for purposes of 18 U.S.C. 207(c) and this Part 737, to be separate from the remaining agencies and bureaus of its parent agency (except such agencies and bureaus as specified):

Parent Agency: DEPARTMENT OF HEALTH AND HUMAN SERVICES
Separate Components:
Health Care Financing Administration
Parent Agency: DEPARTMENT OF TRANSPORTATION
Separate Components:
Alaska Railroad
Parent Agency: DEPARTMENT OF LABOR
Separate Components:
Employment and Training Administration
Employment Standards Administration
Labor-Management Services Administration
Parent Agency: DEPARTMENT OF DEFENSE
Separate Components:
Defense Communications Agency
Defense Intelligence Agency
Defense Nuclear Agency
National Security Agency
Defense Logistics Agency
Parent Agency: DEPARTMENT OF STATE
Separate Components:
Foreign Service Grievance Board
International Joint Commission, United States and Canada (American Section)
Parent Agency: DEPARTMENT OF JUSTICE
Separate Components:
Office of United States Attorney (for each Judicial district (95))—however, each such Office is not designated as separate from the Office of the U.S. Marshal for the same judicial district
Office of United States Marshal (for each judicial district (95))—however, each such Office is not designated as separate from the Office of the U.S. Attorney for the same judicial district
Antitrust Division
Civil Rights Division
Land and Natural Resources Division
Tax Division
Criminal Division
Office for Improvements in the Administration of Justice
Parent Agency: DEPARTMENT OF COMMERCE
Separate Components:
International Trade Administration
Minority Business Development Administration
National Telecommunication and Information Administration
Bureau of Industrial Economics

*These three components shall not, for purposes of 18 U.S.C. 207(c), be considered separate from one another but only from other separate components of the Department of Justice.

§ 737.33 "Senior Employee" designations.

In accordance with § 737.25(b)(1), the following employee positions have been designated as "Senior Employee" positions for purposes of subsections 207 (b)(ii) and (c) of title 18, U.S.C., as amended.[1]

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (OFFICE OF ADMINISTRATION)

Positions:

AD Director, Automated Systems Division

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (COUNCIL OF ECONOMIC ADVISERS)

Positions: No section 207(d)(1)(C) designations.)

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (COUNCIL ON ENVIRONMENTAL QUALITY)

Positions: No section 207(d)(1)(C) Designations.

AGENCY: EXECUTIVE OFFICE, OF THE PRESIDENT, (PRESIDENTS COMMISSION ON EXECUTIVE EXCHANGE)

Positions:

GS–17 Executive Director

[1] All positions designated pursuant to section 207(d)(1)(C) not previously designated are marked by an asterisk (*). Those positions marked by a double asterisk (**) are former Executive level positions which were converted to SES positions. Positions automatically designated by section 207(d)(1)(A) and (B) are not shown.

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (OFFICE OF MANAGEMENT AND BUDGET)

Positions:

SES Executive Associate Director for Budget and Legislation
SES Associate Director
SES Counsel to the Director for Policy Analysis and Law
SES General Counsel
SES Deputy General Counsel
SES Assistant Director for Public Affairs
SES Assistant Director for Legislative Affairs
SES Deputy Director for Legislative Affairs
SES Associate Director for Economics and Planning
SES Assistant Director for Legislative Reference
SES Deputy Assistant Director for Legislative Reference
SES Deputy Associate Director for Administration
SES Assistant Director for Budget Review
SES Deputy Assistant Director for Budget Review
SES Administrator, Office of Information and Regulatory Affairs
SES Deputy Administrator for Information and Regulatory Management
SES Deputy Administrator for Regulatory and Statistical Analysis
SES Associate Director for Management
SES Assistant Director for Federal Personnel Policy
SES Deputy Associate Director for Management Reform
SES Deputy Associate Director for Finance and Accounting
SES Associate Director for National Security and International Affairs
SES Deputy Associate Director for Special Studies, National Security and International Affairs
SES Deputy Associate Director for National Security
SES Deputy Associate Director for International Affairs
SES Associate Director for Human Resources, Veterans and Labor
SES Deputy Associate Director for Special Studies, Human Resources, Veterans and Labor
SES Deputy Associate Director for Health and Income Maintenance
SES Deputy Associate Director for Labor, Veterans and Education
SES Associate Director for Natural Resources, Energy and Science
SES Deputy Associate Director for Special Studies, Natural Resources, Energy and Science
SES Deputy Associate Director for Natural Resources
SES Deputy Associate Director for Energy and Science
SES Deputy Chief, Energy & Science Division
SES Associate Director for Economics and Government
SES Deputy Associate Director for Special Studies, Economics and Government
SES Deputy Associate Director for Transportation, Commerce and Housing
SES Deputy Associate Director for Justice, Treasury and Personnel

OFFICE OF FEDERAL PROCUREMENT POLICY

SES Principal Associate Administrator for Procurement

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (NATIONAL SECURITY COUNCIL)

Positions:

GS–18 Special Assistant to the President (6)
SES 2 Senior Staff Member
SES 4 Senior Staff Member
SES 5 Senior Staff Member
ES 5 Senior Staff Member
FS 3 Senior Staff Member
GS–17 Staff Member
0–8 Military Assistant to the Assistant to the President for National Security Affairs

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (OFFICE OF SCIENCE AND TECHNOLOGY POLICY)

Positions: No section 207(d)(1)(C) designations.

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE)

Positions:

SES General Counsel
SES Deputy General Counsel
SES* Chief Textile Negotiator
SES Senior Assistant U.S. Trade Representative—Trade Policy Development and Coordination
SES Deputy Assistant U.S. Trade Representative—Services
SES Deputy Assistant U.S. Trade Representative—Policy Coordination
SES Assistant U.S. Trade Representative—Industrial Trade Policy
SES Deputy Assistant U.S. Trade Representative—Industrial Trade Policy
SES Assistant U.S. Trade Representative—Agricultural Affairs and Commodity Policy
SES* Deputy Assistant U.S. Trade Representative—Agricultural Affairs
SES Director, Commodity Affairs
SES Assistant U.S. Trade Representative—GATT Affairs
SES Deputy Assistant U.S. Trade Representative—GATT Affairs
SES Assistant U.S. Trade Representative—East/West and Non-Market Economies
SES Assistant U.S. Trade Representative—Asia, Africa, Pacific, North/South
SES* Deputy Assistant U.S. Trade Representative—Asia, Africa, Pacific, North/South
SES Assistant U.S. Trade Representative—Investment Policy
SES Deputy Assistant U.S. Trade Representative—Investment Policy
SES Assistant U.S. Trade Representative—Americas
SES Assistant U.S. Trade Representative—Europe and Japan
SES Assistant U.S. Trade Representative—Administration
SES* Assistant U.S. Trade Representative—Congressional Affairs
SES Director, Office of Management
SES Director, International Trade Data Center

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (OFFICE OF THE VICE PRESIDENT OF THE UNITED STATES)

Positions:

AD Chief of Staff

AGENCY: EXECUTIVE OFFICE OF THE PRESIDENT, (THE WHITE HOUSE OFFICE)

Positions: No section 207(d)(1)(C) designations.

AGENCY: DEPARTMENT OF AGRICULTURE

Positions:

OFFICE OF THE SECRETARY

SES Deputy Assistant Secretary for Administration
SES Executive Assistant to the Secretary
SES Deputy Assistant Secretary for Food and Consumer Services
SES Deputy Assistant Secretary for Natural Resources and Environment (2)
SES Deputy Under Secretary for Small Community and Rural Development
SES Deputy Under Secretary for International Affairs and Commodity Programs
SES Deputy Assistant Secretary for Marketing and Inspection Services
SES Deputy Assistant Secretary for Economics
SES* Deputy Assistant Secretary, Science and Education
SES* Deputy Assistant Secretary for Governmental and Public Affairs

OFFICE OF THE INSPECTOR GENERAL

SES Deputy Inspector General
SES Assistant Inspector General for Audit
SES Assistant Inspector General for Investigations
SES Assistant Inspector General for Analysis and Evaluation
SES Deputy Assistant Inspector General for Audit
SES Deputy Assistant Inspector General for Investigations
SES Assistant Inspector General for Security and Special Operations

OFFICE OF THE GENERAL COUNSEL

SES Deputy General Counsel

OFFICE OF ADMINISTRATIVE LAW JUDGES

Positions: No section 207(d)(1)(C) designations.

OFFICE OF PERSONNEL

SES Director
SES* Deputy Director

OFFICE OF EQUAL OPPORTUNITY

SES* Director

OFFICE OF ADMINISTRATIVE SYSTEMS

SES* Director

SES* Director, National Finance Center (NFC)
SES* Deputy Director, NFC

OFFICE OF FINANCE AND MANAGEMENT

SES* Director
SES* Deputy Director

OFFICE OF INFORMATION RESOURCES MANAGEMENT

SES* Director
SES* Deputy Director

OFFICE OF OPERATIONS

SES* Director

OFFICE OF BUDGET, AND PROGRAM ANALYSIS

SES Director

WORLD FOOD AND AGRICULTURAL OUTLOOK

SES Chairperson

ECONOMICS RESEARCH SERVICE

SES Administrator
SES Deputy Administrator, ERS

STATISTICAL REPORTING SERVICE

SES* Administrator
SES* Deputy Administrator

ECONOMIC MANAGEMENT STAFF

SES* Director

ECONOMIC ANALYSIS STAFF

SES* Director

AGRICULTURAL COOPERATIVES SERVICE

SES Administrator

RURAL ELECTRIFICATION ADMINISTRATION

SES Deputy Administrator

FARMERS HOME ADMINISTRATION

SES Associate Administrator
SES* Deputy Administrator, Financial and Administrative Operations
SES* Deputy Administrator Program Operations

AGRICULTURAL RESEARCH SERVICE

SES Deputy Administrator, National Program Staff
SES Associate Deputy Administrator, National Program Staff
SES Deputy Associate Administrator, National Program Staff
SES Administrator, for Extension Service
SES Associate Administrator for Extension Service
SES Administrator, Cooperative State Research
SES Associate Administrator, Cooperative State Research
SES Deputy Administrator for Administrative Management
SES Administrator, Agricultural Research Service
SES Associate Administrator, Agricultural Research Service

NATIONAL AGRICULTURAL LIBRARY

SES* Director, National Agricultural Library
SES* Associate Director, National Agricultural Library

OFFICE OF GRANTS AND PROGRAM SYSTEMS

SES* Director, Grants and Program Systems

SOIL CONSERVATIONS SERVICE

SES Chief
SES Associate Chief
SES Deputy Chief for Administration
SES Deputy Chief for Natural Resource Assessments
SES Deputy Chief for Technology Development and Application
SES Deputy Chief for State and Local Operations
SES Deputy Chief for Natural Resource Projects
SES Deputy Chief for Planning and Evaluation

FOREST SERVICE

SES Chief
SES Associate Chief
SES Deputy Chief for Administration
SES Deputy Chief for Research
SES Associate Deputy Chief for Research(2)
SES Deputy Chief, National Forest System
SES Associate Deputy Chiefs, National Forest System (2)
SES Deputy Chief, State and Private Forestry
SES Associate Deputy Chief, State and Private Forestry
SES Deputy Chief for Programs and Legislation
SES Associate Deputy Chief for Programs and Legislation

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SES Administrator
SES Associate Administrator
SES Deputy Administrator, State and County Operations
SES Deputy Administrator, Management
SES* Deputy Administrator for Program Planning and Development
SES Deputy Administrator, Commodity Operations

FEDERAL CROP INSURANCE CORPORATION

SES Manager
SES Deputy Managaer
SES* Assistant Manager for Administration
SES* Director of Operations
SES* Deputy Director of Operations

FOREIGN AGRICULTURAL SERVICE

SES Administrator
SES Associate Administrator
SES Associate Administrator and General Sales Manager

OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT ADMINISTRATOR

SES Administrator
SES* Associate Administrator

FOOD SAFETY AND INSPECTION SERVICE

SES Administrator
SES Associate Administrator
SES Deputy Administrator, Meat and Poultry Inspection Operations
SES Deputy Administrator, Meat and Poultry Technical Services
SES Deputy Administrator, Administrative Management
SES Deputy Administrator, Science
SES* Deputy Administrator, International Programs

FOOD AND NUTRITION SERVICE

SES Administrator
SES Associate Administrator

HUMAN NUTRITION INFORMATION SERVICE

SES Administrator

AGRICULTURAL MARKETING SERVICE

SES Administrator
SES Deputy Administrator, Marketing Program Operations
SES Associate Deputy Administrator, Marketing Program Operations

PACKERS AND STOCKYARDS

SES Administrator
SES Deputy Administrator

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SES Administrator
SES Associate Administrator
SES Deputy Administrator, Veterinary Services
SES Deputy Administrator, Plant Protection and Quarantine
SES Deputy Administrator for Management

FEDERAL GRAIN INSPECTION SERVICE

SES Deputy Administrator, Program Operations

AGENCY: DEPARTMENT OF COMMERCE

Positions:

OFFICE OF THE SECRETARY

SES Counsellor to the Secretary
SES Executive Assistant to the Secretary
SES Special Assistants to the Secretary
GS-18 Chairperson, Federal Regional Council, Region VI

Office of the Deputy Secretary

SES Special Assistant to the Deputy Secretary

Office of the Associate Deputy Secretary

SES Director, Office of Business Liaison
SES Special Assistant for Private Sector Initiatives
SES Associate Deputy Secretary
SES* Associate Deputy Secretary for Strategic Policy and Planning

Office of Congressional Affairs

SES Deputy Assistant Secretary
SES* Deputy Assistant Secretary for Intergovernmental Affairs

Office of Public Affairs

SES Director
SES Deputy Director

Office of General Counsel

SES Deputy General Counsel

Office of Under Secretary for Travel and Tourism

SES Deputy Under Secretary
SES Assistant Secretary for Tourism Marketing

Office of Inspector General

SES* Deputy Inspector General

Minority Business Development Agency

SES Director
SES Deputy Director
SES Associate Driector for Policy and Market Development

Office of Assistant Secretary for Administration

SES* Deputy Assistant Secretary for Administration
SES* Executive Director for Operations
SES Controller
SES Director, Office of Budget
SES Executive Director for Information Resources Management

Office of the Assistant Secretary for Economic Affairs

SES Chief Economist
SES Deputy Assistant Secretary for Automotive Industry Affairs
SES Director, Office of Productivity, Technology and Innovation
SES Director, Office of Strategic Resources

Bureau of Industrial Economics

SES Director
SES Deputy Director

Bureau of Economic Analysis

SES Director
SES Deputy Director

National Technical Information Service

SES Director
SES Deputy Director

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SES Deputy Assistant Secretary

Office of Planning and Policy Coordination

SES Chief Counsel

Office of Federal Systems and Spectrum Management

SES Associate Administrator
SES Deputy Associate Administrator

Office of Policy Analysis and Development

SES Associate Administrator

Office of Telecommunications Applications

SES Associate Administrator

Institute for Telecommunications Sciences

SES Associate Administrator

BUREAU OF THE CENSUS

SES Deputy Director

Demographic Fields

SES Associate Director

Management Services

SES Associate Director

Statistical Standards and Methodology

SES Associate Director

Field Operations

SES Associate Director

Economic Fields

SES Associate Director

ECONOMIC DEVELOPMENT ADMINISTRATION

SES Deputy Assistant Secretary
SES Deputy Assistant Secretary, Finance Directorate
SES* Deputy Assistant Secretary, Operations Directorate

Office of Chief Counsel

SES Chief Counsel

INTERNATIONAL TRADE ADMINISTRATION

SES Deputy Under Secretary
SES Director General for the Commercial Services
SES Deputy Assistant Secretary for Commercial Services

Office of the Assistant Secretary for International Economic Policy

SES Deputy Assistant Secretary
SES Deputy Assistant Secretary for Europe
SES Deputy Assistant Secretary for Western Hemisphere
SES* Deputy Assistant Secretary for East Asia
SES* Deputy Assistant Secretary for Africa, Near East, South Asia

Office of the Assistant Secretary for Trade Administration

SES* Deputy Assistant Secretary
SES Deputy Assistant Secretary for Import Administration
SES Deputy to the Deputy for Import Administration (2)
SES Deputy Assistant Secretary for Export Administration
SES Deputy to the Deputy for Export Administration
SES* Deputy Assistant Secretary for Export Enforcement

Office of the Assistant Secretary for Trade Development

SES Deputy Assistant Secretary (1)
SES Deputy Assistant Secretary for Export Development
SES* Deputy Assistant Secretary for Industry Projects
SES* Deputy Assistant Secretary for Trade Information and Analysis
SES* Deputy Assistant Secretary for Trade Adjustment Assistance

NATIONAL BUREAU OF STANDARDS

SES Deputy Director

Office of Associate Director for Programs, Budget and Finance

SES Associate Director for Programs, Budget and Finance
SES Director, Planning Office

National Measurement Laboratory

SES Director
SES Deputy Director for Resources and Operations
SES Deputy Director for Programs

National Engineering Laboratory

SES Director
SES Deputy Director
SES Deputy Director for Programs

Institute for Computer Sciences and Technology

SES Director
SES Associate Director for Planning, Budget and Evaluation

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Office of the General Counsel

SES General Counsel

Office of Policy and Planning

SES Director

National Marine Fisheries Service

SES Assistant Administrator for Fisheries
SES Deputy Assistant Administrator for Fisheries

Office of Oceanic and Atmospheric Research

SES Assistant Administrator for Oceanic and Atmospheric Research
SES Deputy Assistant Administrator

National Weather Service

SES Assistant Administrator for Weather Services
SES Deputy Assistant Administrator

National Ocean Service

SES Assistant Administrator for Ocean Services and Coastal Zone Management
SES Deputy Assistant Administrator for Ocean Services

National Environmental Satellite Data and Information Service

SES Assistant Administrator
SES Deputy Assistant Administrator for Satellites
SES* Deputy Assistant Administrator for Information Services

NOAA CORPS

07–08 Director

PATENT AND TRADEMARK OFFICE

GS–18 Deputy Commissioner

Office of Assistant Commissioner for Patents

GS–18 Assistant Commissioner
SES Deputy Assistant Commissioner

Office of Assistant Commissioner for Trademarks

GS–17 Assistant Commissioner
SES Deputy Assistant Commissioner

Office of Assistant Commissioner for External Affairs

SES Assistant Commissioner

Office of Assistant Commissioner for Finance and Planning

SES* Assistant Commissioner

Office of the Solicitor

SES Solicitor
SES Deputy Solicitor

AGENCY: DEPARTMENT OF DEFENSE

Positions:

Office of the Secretary of Defense

SES Assistant to the Secretary of Defense (Intelligence Oversight)
SES Assistant to the Secretary and Deputy Secretary of Defense
SES Assistant to the Secretary of Defense
SES Director, Small and Disadvantaged Business Utilization
SES Director of Small Business and Economic Utilization Policy

Office of the Deputy Under Secretary of Defense (Policy)

SES Deputy Under Secretary of Defense (Policy)
SES Assistant Deputy Under Secretary of Defense (Policy)
SES Director, Counterintelligence & Security Programs
SES Director, Information Security
SES Director for Security Plans and Programs
SES Director, Counterintelligence and Investigative Programs
SES Director, Special Advisory Staff
SES Director, Command and Control Policy

Office of the Assistant Secretary of Defense (International Security Policy)

SES Principal Deputy Assistant Secretary of Defense (International Security Policy)
SES Deputy Assistant Secretary of Defense (Strategic and Theater Nuclear Forces Policy)
SES Director for Theater Nuclear Policy
SES Director, Strategic Arms Control Policy
SES Deputy Assistant Secretary of Defense (European and NATO Affairs)
SES Director, Southern European Affairs
SES Deputy Director, European and NATO Affairs
SES Director, European Policy
SES Deputy Assistant Secretary of Defense (International Economics, Trade, and Security Policy)
SES Principal Director, International Economics, Trade and Security Policy
0–8 Director, Intelligence & Space Policy

Office of the Assistant Secretary of Defense (International Security Affairs)

SES Principal Deputy Assistant Secretary of Defense (International Security Affairs)
SES Deputy Assistant Secretary of Defense (East Asia and Pacific Affairs)
SES Director, Africa Region
SES Deputy Assistant Secretary of Defense (Inter-American Affairs)
SES Deputy Assistant Secretary of Defense (Policy Analysis)
SES Director, Policy Planning
SES Director, Foreign Military Rights Affairs
SES Director, Security Assistance Plans
0–8 Director, Inter-American Region
0–7 Director, East Asia & Pacific Region

Defense Security Assistance Agency

SES Director, Security Assistance Operations
SES Deputy Director, Defense Security Assistance Agency
SES Comptroller, DSAA
SES Deputy Comptroller, DSAA
SES Director, Joint Financial Management Office
0–9 Director, Defense Security Assistance Agency

Office of the Under Secretary of Defense (Research and Engineering)

SES Principal Deputy Under Secretary of Defense for Research and Engineering
SES Chairman, Military Liaison Committee/ Assistant to the Secretary of Defense (Atomic Energy)
SES Deputy Assistant to the Secretary of Defense (Chemical Matters)
SES Deputy Assistant to the Secretary of Defense (Atomic Energy) (Long-Range Resource Planning)
SES* Assistant Under Secretary of Defense, (Conventional Initiatives) and Director, Conventional Initiatives Program Coordination
SES* Deputy Under Secretary of Defense (Acquisition Management)
SES* Assistant Deputy Under Secretary of Defense (Acquisition)
SES* Director, Contract Administration
SES* Director, Contract Policy
SES* Director, Cost, Pricing and Finance
SES Director, Defense Acquisition Regulatory System
SES Director, Major Systems Acquisition
SES Assistant Deputy Under Secretary of Defense (Production Policy)
SES Director, Production Resources
SES Director, Standardization and Acquisition Support
SES Deputy Under Secretary of Defense (Research and Advanced Technology)
SES Assistant Deputy Under Secretary of Defense (Research & Advanced Technology)
SES Director, Very High Speed Integrated Circuits and Electron Devices
SES Director, Electronics and Physical Sciences
SES* Director, Engineering Technology
SES Director, Directed Energy Programs
SES* Director, Research and Technical Information
SES Deputy Under Secretary of Defense (Strategic and Theater Nuclear Forces)
SES Director, Start and Arms Control Office
SES Director, Defensive Systems
SES* Director, Strategic Aeronautical and Theater Nuclear Systems
SES* Director, Offensive and Space Systems
SES Deputy Under Secretary of Defense (Tactical Warfare Programs)
SES* Assistant Deputy Under Secretary of Defense (Land Warfare)
SES* Assistant Deputy Under Secretary of Defense (Naval Warfare and Mobility)
SES Director, Mobility and Special Projects
SES* Assistant Deputy Under Secretary of Defense (Air Warfare)
SES Director, Defense Test and Evaluation
SES* Deputy Under Secretary of Defense (International Programs and Technology)
SES Assistant Deputy Under Secretary of Defense (International Programs)
SES* Director, NATO/European Affairs Southern Hemisphere Affairs
SES Director, Technology Export
SES Deputy Under Secretary of Defense (C3I)
SES Assistant Deputy Under Secretary of Defense (Communications, Command and Control)
SES Director, Strategic and Theater Nuclear Forces C3
SES Director, Theater and Tactical C3
SES Director, Electronic Warfare and C3 Countermeasures
SES Director, Information Systems
SES Assistant Deputy Under Secretary of Defense (Intelligence)
SES Director, National Intelligence Systems
SES Director, Tactical Intelligence Systems
SES Assistant Deputy Under Secretary of Defense (Systems Integration)
SES Director, Systems Architecture and Analysis
SES Director, Long-Range Planning and Systems Evaluation
SES Director, C3 Resources
SES Director, Office of Munitions
SES Deputy Director, Defense Test & Evaluation
SES Deputy and Assistant for Directed Energy Weapons
0–8 Director, Joint Tac Communications Off (TRI–TA) Ft. Monmouth , NJ

Defense Advanced Research Projects Agency

SES Director, Defense Advanced Research Projects Agency
SES Deputy Director for Research
SES Deputy Director for Technology
SES Director, Directed Energy Office
SES Director, Information Processing Techniques Office
SES Director, Tactical Technology Office
SES Director, Program Management Office
SES Director, Defense Sciences Office
SES Director, Strategic Technology Office

Office of the Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics)

SES Principal Deputy Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics)
SES Principal Director, Office of the Deputy Assistant Secretary of Defense (Reserve Affairs)
SES Deputy Assistant Secretary of Defense (Equal Opportunity and Safety Policy)
SES Director for Civilian Equal Opportunity Programs
SES Director for Safety and Occupational Health Policy
SES Deputy Assistant Secretary of Defense (Logistics & Materiel Management)
SES Principal Director, Office of the Deputy Assistant Secretary of Defense (Logistics and Materiel Management)
SES Director for Supply Management Policy
SES Director for Maintenance Policy
SES Director for Transportation and Distribution Policy
SES Director, Weapon Support
SES Deputy Assistant Secretary of Defense (Civilian Personnel Policy and Requirements)
SES Director, Personnel Management
SES Director, Civilian Requirements and Analysis
SES Director, Overseas and Nonappropriated Fund Personnel Management

SES Deputy Director for Labor-Management Relations
SES Director, Management Studies
SES Deputy Assistant Secretary of Defense (Program Integration)
SES Principal Director, Office of the Deputy Assistant Secretary of Defense (Program Integration)
SES Director, Automated Systems
SES Director, Force Readiness and Sustainability Requirements and Analysis
SES Director, International Logistics and Support Analysis
SES Director, Manpower Management
SES Deputy Assistant Secretary of Defense (Program Management)
SES Principal Director, Office of the Deputy Assistant Secretary of Defense (Facilities, Environment, and Economic Adjustment)
SES Director, Base Operations
SES Director, Facility Requirements and Resources
SES Director, NATO Programs and Foreign Construction
SES Assistant Director for Installations Programs
SES Director, Installation Planning
SES Director for Energy Policy
SES Director, Office of Economic Adjustment
SES Director, Manpower Planning and Analysis
SES Director, Accession Policy
SES Director, Resource Management and Analysis
0-9 Dep Asst Secretary of Defense (Mil Pers Policy)
0-8 Mil Exec Officer, Reserve Forces Policy Board
0-8 Director, Construction Opns & Facilities Management
0-8 Staff Director, 5'TH QRMC

DOD Dependents Schools

SES Director, DOD Dependents Schools

Office of Economic Adjustment

SES Economic Advisor

Office of the Assistant Secretary of Defense (Legislative Affairs)

SES Deputy Assistant Secretary of Defense (Senate Affairs)
SES Deputy Assistant Secretary of Defense (House Affairs)
0-7 DASD (Plans and Operations)

Office of the Assistant Secretary of Defense (Comptroller)

SES Principal Deputy Assistant Secretary of Defense (Comptroller)
SES Deputy Assistant Secretary of Defense (Management Systems)
SES Principal Assistant to the Deputy Assistant Secretary of Defense (Management Systems)
SES Director for Accounting Policy
SES Director for Cost Accounting Policy
SES Director, Financial Accounting Policy
SES Director, Policy Promulgation Division
SES Director for Information Resources Management Systems
SES Director for Banking, International Finance and Professional Development
SES Deputy Assistant Secretary of Defense (Cost and Audit)
SES Director for Acquisition and Cost Management
SES Deputy Comptroller for Audit Policy
SES Deputy Assistant Secretary of Defense (Administration)/Director, Washington Headquarters Services
SES Director for Organizational and Management Planning
SES Deputy Assistant Secretary of Defense (Program/Budget)
SES Deputy Comptroller (Program/Budget)
SES Director for Research and Development
SES Director for Construction
SES Director for Operations
SES Director for Procurement
SES Director for Military Personnel
SES Director for Program and Financial Control

Office of the Assistant Secretary of Defense (Health Affairs)

SES Principal Deputy Assistant Secretary of Defense (Health Affairs)
SES Deputy Assistant Secretary of Defense (Drug and Alcohol Abuse Prevention)
SES Deputy Assistant Secretary of Defense (Information Systems and Strategic Planning)
SES Deputy Assistant Secretary of Defense (Health Program Evaluation)
SES Director, Office of the Civilian Health and Medical Program of the Uniformed Services

Office of the Director, Program Analysis and Evaluation

SES Director, Program Analysis and Evaluation
SES* Deputy Director (Theater Assessments and Planning)
SES* Director, Contingency Forces Division
SES* Director, European Forces Division
SES Director, Mobility Forces Division
SES Deputy Director (Strategic Programs)
SES Director, Strategic Defensive and Theater Nuclear Forces Division
SES Director, Strategic Offensive Forces and Arms Limitation Division
SES Deputy Director (General Purpose Programs)
SES Director, Tactical Air Division
SES Director, Land Forces Division
SES Director, Naval Forces Division
SES Deputy Director (Resource Analysis)
SES Director, Economic Analysis Division
SES Director, Cost Analysis Division

Office of the Assistant Secretary of Defense (Public Affairs)

SES Principal Deputy Assistant Secretary of Defense (Public Affairs)
SES Director, Freedom of Information and Security Review
SES Director, Defense Audio-Visual Agency
SES Director, American Forces Information Service

Office of the General Counsel

SES Deputy General Counsel

Office of the Inspector General

SES Principal Deputy Assistant to the Secretary of Defense (Review and Oversight)

US Mission to the North Atlantic Treaty Organization

SES Defense Advisor, US Mission to NATO
SES Deputy Defense Advisor for Research, Engineering and Acquisition
SES Director, Defense Plans Division
SES Director, Infrastructure and Logistics
SES Director, Communications and Electronic Division

International Military Activities Staff

SES Director of Logistics (International Staff)
SES Director of Logistics (NAMSA)
SES Director of Finance, Central European Operating Agency (NATO Support Group)
SES Director, Nuclear Planning (International Staff)

Organization of the Joint Chiefs of Staff

SES Deputy Functional Project Manager and Chief, Systems Integration Office

AGENCY: DEPARTMENT OF THE AIR FORCE

Positions:

Civilian

OFFICE OF THE SECRETARY OF THE AIR FORCE

Under Secretary of the Air Force

SES Deputy Under Secretary of the Air Force (Space Systems)

Assistant Secretary of the Air Force (Financial Management)

SES Principal Deputy Assistant Secretary of the Air Force (Financial Management)
SES Deputy for Programs and Budget
SES Deputy Assistant Secretary for Information Systems Management
SES Deputy for Aerospace Economic Analysis
SES The Auditor General

Assistant Secretary of the Air Force (Manpower, Reserve Affairs and Installations

SES Principal Deputy Assistant Secretary of the Air Force (Manpower, Reserve Affairs and Installations)
SES Deputy Assistant Secretary (Installations, Environment and Safety)
SES Deputy Assistant Secretary (Manpower Resources and Military Personnel)
SES Deputy Assistant Secretary (Reserve Affairs)

Assistant Secretary of the Air Force (Research, Development and Logistics)

SES Principal Deputy Assistant Secretary of the Air Force (Research, Development and Logistics)
SES Deputy Assistant Secretary (Logistics and Communications)
SES Deputy Assistant Secretary (Acquisitions Management)
SES Deputy for Acquisition
SES Deputy for Programs and Production
SES Deputy for Supply and Maintenance
SES Deputy for Transportation and Civil Aviation

Administrative Assistant to the Secretary of the Air Force

SES Administrative Assistant to the Secretary of the Air Force

General Counsel

SES The General Counsel
SES Deputy General Counsel
SES Assistant General Counsel, Procurement

Directorate of Administration

SES Chief, Publishing Division

COMPTROLLER OF THE AIR FORCE

SES Deputy Comptroller of the Air Force
SES Deputy Director, Budget
SES Chief, Budget Management Division
SES Deputy Director, Air Force Accounting and Finance Center

DEPUTY CHIEF OF STAFF, LOGISTICS AND ENGINEERING

SES Associate Director, Engineering and Services
SES Associate Director, Logistics Plans and Programs
SES Deputy to the Commander, Air Force Commissary Service

DEPUTY CHIEF OF STAFF, MANPOWER AND PERSONNEL

SES Deputy Assistant Secretary (Civilian Personnel Policy and Equal Employment Opportunity); and Director of Civilian Personnel

DEPUTY CHIEF OF STAFF, RESEARCH, DEVELOPMENT AND ACQUISITION

SES Director, Office of Small and Disadvantaged Business Utilization
SES Associate Director, Procurement Policy

AIR FORCE LOGISTICS COMMAND

SES Chairperson, Air Force Logistics Command Procurement Committee
SES Director, Materiel Requirements and Financial Resource Management
SES Assistant Deputy Chief of Staff, Logistics Management Systems
SES Assistant Deputy Chief of Staff, Logistics
SES Assistant Deputy Chief of Staff, Maintenance
SES Assistant Deputy Chief of Staff, Plans and Programs
SES Assistant Deputy Chief of Staff, Contracting and Manufacturing
SES Deputy for Contracting and Manufacturing, Air Force Acquisition Logistics Division
SES Deputy Director, Materiel Management, Ogden Air Logistics Center
SES Deputy Director, Materiel Management, Oklahoma City Air Logistics Center
SES Deputy Director, Materiel Management, Sacramento Air Logistics Center
SES Deputy Director, Materiel Management, San Antonio Air Logistics Center
SES Deputy Director, Materiel Management, Warner Robins Air Logistics Center

AIR FORCE SYSTEMS COMMAND (AFSC)

Headquarters AFSC

SES Principal Assistant Deputy Chief of Staff, Contracting and Manufacturing
SES Chairperson, Contract Review Committee
SES Director of Manufacturing

Aeronautical Systems Division

SES Assistant Deputy for Procurement and Manufacturing
SES Assistant Deputy for Reconnaissance and Electronic Warfare Systems

Electronic Systems Division

SES Assistant Deputy for Contracting and Manufacturing
SES Assistant Deputy for Strategic Systems
SES Assistant Deputy for Tactical Systems
SES Deputy (Technical Operations and Product Assurance)

Space Division

SES Assistant Deputy for Contracting and Manufacturing

AIR FORCE WRIGHT AERONAUTICAL LABORATORIES

Air Force Materials Laboratory

SES Research and Development Executive (Director, AFML)
SES* Director, Manufacturing Technology Division

AIR FORCE OFFICE OF SCIENTIFIC RESEARCH

SES Research and Development Executive (Director, AFOSR)
SES Director, Aerospace Sciences
SES Director, Chemical Sciences
SES Director, Electronics and Solid State Sciences
SES Director, Life Sciences
SES Director, Mathematical and Information Sciences

ORGANIZATION OF THE JOINT CHIEFS OF STAFF

Joint Program Management Office, Worldwide Military

Command and Control System (WWMCCS) Information Systems

SES* Chief, WWMCCS Information Systems Office
SES* Technical Director, Military

OFFICE OF THE SECRETARY OF THE AIR FORCE

0-7/0-8 Commander, Air Force Audit Agency; and Deputy Auditor General
0-7/0-8 Director, Office of Space Systems
0-7/0-8 Director of Special Projects; and Assistant Vice Commander, Space Division (AFSC)

OFFICE OF AIR FORCE RESERVE

0-7/0-8 Chief of Air Force Reserve; and Commander, Air Force Reserve

NATIONAL GUARD BUREAU

0-7/0-8 Director, Air National Guard

ASSISTANT CHIEF OF STAFF, INFORMATION SYSTEMS

0-7/0-8* Assistant Chief of Staff, Information Systems

ASSISTANT CHIEF OF STAFF, STUDIES AND ANALYSES

0-7/0-8 Assistant Chief of Staff, Studies and Analyses

OFFICE OF THE JUDGE ADVOCATE GENERAL

0-7/0-8 The Judge Advocate General; and Commander, Air Force Legal Services Center
0-7/0-8 Deputy Judge Advocate General

THE INSPECTOR GENERAL

0-7/0-8* Commander, Air Force Office of Special Investigations

COMPTROLLER OF THE AIR FORCE

0-7/0-8 Director, Budget
0-7/0-8 Deputy Director, Budget (Operations)
0-7/0-8 Commander, Air Force Accounting and Finance Center; Assistant Comptroller for Accounting and Finance; and Assistant Director, Security Assistance Accounting, Defense Security Assistance Agency

DEPUTY CHIEF OF STAFF, LOGISTICS AND ENGINEERING

0-7/0-8 Director, Logistics Plans and Programs
0-7/0-8 Deputy Director, Logistics Plans and Programs
0-7/0-8 Director, Engineering and Services
0-7/0-8 Commander/Director, Air Force Regional Civil Engineer—Ballistic Missile Support
0-7/0-8 Director, Transportation
0-7/0-8 Commander, Air Force Commissary Service

DEPUTY CHIEF OF STAFF, PROGRAMS AND RESOURCES

0-7/0-8 Assistant Deputy Chief of Staff, Programs and Resources
0-7/0-8 Director, Programs and Evaluation
0-7/0-8 Director, International Programs
0-7/0-8 Deputy Director, International Programs

DEPUTY CHIEF OF STAFF, RESEARCH, DEVELOPMENT AND ACQUISITION

0-7/0-8 Assistant Deputy Chief of Staff, Research, Development and Acquisition
0-7/0-8 Director, Space Systems and Command, Control, Communications
0-7/0-8 Director, Contracting and Manufacturing Policy
0-7/0-8 Director, Development and Production
0-7/0-8 Special Assistant for Peacekeeper
0-7/0-8* Joint Program Manager, Worldwide Military Command and Control System (WWMCCS) Information Systems; and Assistant for WWMCCS Information Systems

DEPUTY CHIEF OF STAFF, PLANS AND OPERATIONS

0-7/0-8 Director, Plans

AIR FORCE COMMUNICATIONS COMMAND

0-7/0-8 Commander, Air Force Communications Command

AIR FORCE LOGISTICS COMMAND

0-7/0-8 Chief of Staff
0-7/0-8 Deputy Chief of Staff, Contracting and Manufacturing
0-7/0-8 Deputy Chief of Staff, Logistics
0-7/0-8 Deputy Chief of Staff, Maintenance

0-7/0-8 Deputy Chief of Staff, Plans and Programs
0-7/0-8 Staff Judge Advocate
0-7/0-8 Commander, Air Force Acquisition Logistics Division
0-7/0-8 Vice Commander, Air Force Acquisition Logistics Division
0-7/0-8 Commander, Air Force Logistics Command International Logistics Center; and Assistant for International Logistics
0-7/0-8* Commander, Air Force Logistics Command Logistics Operations Center
0-7/0-8 Commander, Ogden Air Logistics Center
0-7/0-8 Commander, Oklahoma City Air Logistics Center
0-7/0-8 Commander, Sacramento Air Logistics Center
0-7/0-8 Commander, San Antonio Air Logistics Center
0-7/0-8 Commander, Warner Robins Air Logistics Center

AIR FORCE SYSTEMS COMMAND

0-7/0-8 Deputy Chief of Staff, Contracting and Manufacturing
0-7/0-8 Deputy Chief of Staff, Systems
0-7/0-8* Deputy Chief of Staff, Test and Evaluation
0-7/0-8 Deputy Chief of Staff Acquisition Logistics
0-7/0-8 Director, Laboratories
0-7/0-8 Staff Judge Advocate
0-7/0-8 Vice Commander, Aeronautical Systems Division (ASD)
0-7/0-8 Deputy for Airlift and Trainer Systems; and C-17 System Program Director, ASD
0-7/0-8 Deputy for Tactical Systems, ASD
0-7/0-8 Deputy for B-1B, ASD
0-7/0-8 Deputy for F-16, ASD
0-7/0-8 Vice Commander, Electronic Systems Division (ESD)
0-7/0-8 Deputy for Airborne Warning and Control Systems, ESD
0-7/0-8 Deputy for Strategic Systems, ESD
0-7/0-8 Vice Commander, Space Division
0-7/0-8 Deputy for Space Launch and Control Systems; and System Program Director, Space Transportation System (Space Shuttle), Space Division
0-7/0-8 Commander, Armament Division
0-7/0-8 Deputy Commander, Development and Acquisition, Armament Division
0-7/0-8 Commander, Air Force Contract Management Division
0-7/0-8 Commander, Ballistic Missile Office; and Program Director for Missile-X

MILITARY AIRLIFT COMMAND

0-7/0-8 Deputy Chief of Staff, Air Transportation

ARMY AND AIR FORCE EXCHANGE SERVICE

0-7/0-8 Commander, Army and Air Force Exchange Service

MILITARY TRAFFIC MANAGEMENT COMMAND

0-7/0-8 Vice Commander, Military Traffic Management Command

UNITED STATES MILITARY ENLISTMENT PROCESSING COMMAND

0-7/0-8 Commander, United States Military Enlistment Processing Command

AGENCY: DEPARTMENT OF THE ARMY

Positions:

Office, Secretary of the Army

SES Administrative Assistant to the Secretary of the Army
SES Deputy Administrative Assistant

Office of the General Counsel

SES General Counsel
SES Principal Deputy General Counsel

Office of the Under Secretary

SES Deputy Under Secretary of the Army
SES Deputy Under Secretary of the Army (Operations Res)

Office, Assistant Secretary of the Army (Installations, Logistics & Financial Management)

SES Principal Deputy ASA (IL&FM)
SES Deputy for Installations & Housing
SES Deputy for Logistics
SES Assistant Deputy for Installations & Housing
SES Assistant Deputy for Logistics
SES Deputy for Resource Analysis
SES Deputy for Management System
SES Assistant Deputy for Resource Analysis
SES Deputy for Environment Safety & Occupational Health

Office, Assistant Secretary of the Army (Manpower & Reserve Affairs)

SES Principal Deputy ASA (MRA)
SES Deputy ASA (DA Review Boards and Personnel Security)

Office, Small & Disadvantaged Business Utilization

SES Director, Small & Disadvantaged Business Utilization

Office, Assistant Secretary of the Army (Civil Works)

SES Principal Deputy ASA (CW)
SES* Deputy for Program Planning, Review and Evaluation (CW)
SES* Deputy for Management and Budget (CW)

Office, Assistant Secretary of the Army (Research, Development & Acquisition)

SES Principal Deputy ASA (RDA) and Deputy ASA (R & D)
SES Deputy ASA (Acquisition)
SES Deputy for Science & Technology
SES Deputy for Materiel Acquisition-Management
SES Deputy for Procurement Policy
SES Deputy for Management & Programs
SES* Assistant Deputy for Management & Programs
SES Deputy for Air & Missile Defense
SES Deputy for Communications & Target Acquisition
SES Director Acquisition Management & Review Agency

Defense Supply Service—Washington

SES* Director, Defense Supply Service—Washington

Ballistic Missile Defense Program Office (Washington)

SES Deputy BMD Program Manager
SES* Director, Technology Directorate
SES* Chief, Scientist
SES* Director, Programs & Systems Analysis Directorate

Ballistic Missile Defense Systems Command (Huntsville)

SES Chief, Contracts Office
SES Director, Systems Technology Project Office

Ballistic Missile Defense Advance Technology Center (Huntsville)

SES Director, BMD Advance Technical Center

Office of the Chief of Staff

SES Director, Study Program Management Office

US Army Operational Test and Evaluation Agency (OCSA)

SES Scientific Advisor

Assistant Chief of Staff for Automation and Communications

SES Deputy Assistant Chief of Staff Auto & Commo
SES Director, USA Management Systems Spt Agency
SES Director, US Army Computer Systems Selection Acquisition Agency

US Army Concepts Analysis Agency

SES* Director

Deputy Chief of Staff of Logistics

SES Special Assistant to the DCSLOG/Chief Aviation Logistics

Program Analysis and Evaluation Directorate (OCSA)

SES Deputy Director for Programming

Comptroller of the Army

SES Deputy Comptroller

Army Audit Agency (OSA)

SES The Auditor General (OCSA)
SES Deputy Auditor General (OSA)
SES Director, Personnel and Force Management Audits (OSA)
SES Director, Audit Policy, Plans, & Resources (OSA)
SES Director, Logistical and Financial Audits (OSA)
SES Director, Acquisition and Systems Audits (OSA)

Office of the Judge Advocate General

SES Special Assistant for Comm, Trans & Utilities

US Army Materiel Development & Readiness Command (DARCOM) Headquarters

SES Deputy Comptroller
SES Command Counsel
SES Deputy Command Counsel
SES Chief, Patent Law Division
SES Director, Management Information Systems
SES Director or Product Assurance and Test

SES Principal Assistant Deputy for Research, Development and Acquisition
SES Assistant Deputy for Resources and Management
SES Assistant Deputy for Science & Technology
SES Assistant Deputy for International Research, Development and Standardization
SES* Director of Program Evaluation and Analysis
SES Director, Office of Manufacturing Technology
SES Deputy Director of Development Engineering and Acquisition
SES Deputy for Weapon Systems Management
SES Assistant Deputy for Materiel Readiness
SES Deputy Director of Supply, Maintenance and Transportation
SES Chief, Procurement Policy and Analysis Division
SES Deputy Director, of Security Assistance
SES Deputy Director of Procurement & Production
SES* Deputy Director Product Assurance & Test
SES* Deputy Executive Director, TMDE

Nuclear Munitions Project Office

SES Deputy Project Manager

Project Office (PATRIOT)

SES Deputy Project Manager

US Army Materiel Systems Analysis Agency (AMSAA)

SES Director, Army Materiel Systems Analysis Agency

US Army Materiels and Mechanics Research Center (AMMRC)

SES Director

Army Research Office (ARO) Durham

SES* Director
SES Technical Director
SES Director, Electronics Division
SES Director, Metallurgy & Materiels Science
SES Director, Physics Division
SES Director, Mathematics Division
SES Director, Engineering Sciences Division

US Army Armament Materiel Readiness Command (ARRCOM)

SES Deputy for Procurement and Production
SES Chief Counsel

US Army Armament Research & Development Command (ARRADCOM) Headquarters

SES Technical Director
SES Chief Counsel

Ballistic Research Laboratory

SES Director, Ballistic Research Laboratory

Chemical Systems Lab

SES Deputy Director

Large Caliber Weapon Systems Laboratory

SES Deputy Director

Fire Control and Small Caliber Weapon Systems Lab

SES Deputy Director

US Army Aviation R&D Command (AVRADCOM) Headquarters

SES Technical Director
SES Director, Aeromechanics Lab
SES Director, Structures Lab
SES Director, Propulsion Lab
SES Director, Research & Technology Lab

US Army Communication—Electronics Command (CECOM)

SES Chief Counsel
SES Technical Director
SES Director, Communications System Center
SES Director, Tactical Computer Systems Center
SES Director, Systems Engineering and Integration Center
SES Director, Procurement & Production
SES Technical Director, (SATCOMA)

US Army Depot Systems Command (DESCOM)

SES Deputy for Technical Operations

US Army Electronics R&D Command (ERADCOM) Headquarters

SES Technical Director
SES Director, Night Vision & Electronic Optics Lab
SES Deputy Director, Night Vision & Electronic Optics Lab
SES Director, Signals Warfare Lab
SES Director, Electronic Warfare Lab
SES Director, Electronics Technology & Devices Lab
SES Deputy Director, Combat Surveillance & Target Acquisition Lab
SES Technical Director, Harry Diamond Lab

Mobility Equipment Research and Development Command (MERADCOM)

SES Technical Director

US Army Missile Command (MICOM)

SES Technical Director and Director, Army Missile Lab
SES Director for Procurement and Production
SES Chief Counsel
SES Director, Missile Logistics Center
SES Deputy Project Manager, Roland
SES Assistant Deputy for Readiness
SES Deputy Director, Missile Intelligence Agency

US Army Natick Laboratories Research (NLABS)

SES Technical Director
SES Director, Individual Protection Lab
SES Director, Science and Advanced Technology Lab
SES Director, Food Engineering Lab

Project Managers ABRAMS Tank System

SES Chief Engnieer/Chief Systems Engineering Division

Office of the Project Manager, Bradley Fighting Vehicle Systems (FVS)

SES Deputy Project Manager

US Army Tank-Automotive Command (TACOM)

SES Chief Counsel

TRADOC OPERATIONS RESEARCH ACTIVITY

SES* Director, TRADOC Operations Research Activity (TORA)

THE ARMY STAFF

0–8 Director, Management
0–8 Chief, Army Force Modernization Coordination Office
0–8 Director, Program Analysis and Evaluation
0–8 Assistant Deputy Chief of Staff for Personnel
0–8 Assistant Deputy Chief of Staff for Operations and Plans
0–8 Director, Strategic Plans & Policy
0–8 Assistant Deputy Chief of Staff for Logistics
0–8 ADCSRDA
0–8 Director of Army Budget
0–8 Chief, Army Reserve
0–7 Deputy Chief, Army Reserve
0–8 Director, Army National Guard
0–8 Assistant Chief of Staff for Operation & Plans (C4)/Director, Command and Control, Communications and Computers
0–7* Deputy Director, C4
0–8 Assistant Chief of Staff for Intelligence
0–7 Deputy Assistant Chief of Staff for Intelligence
0–8 The Adjutant General/CG, TAGCEN
0–7 Deputy TAG/DCG, TAGCEN
0–8 Chief of Chaplains
0–8 The Judge Advocate General
0–8 The Assistant Judge Advocate General
0–8 The Deputy Surgeon General
0–7/0–8 Assistant Surgeon General (Research & Development)
0–8 Deputy Chief of Engineers and Chairman, Board of Engineers for Rivers and Harbors

ARMY STAFF FIELD OPERATING AGENCIES

Office, Chief of Staff

0–7 Commanding General, Ballistic Missile Defense Systems Command, Huntsville, Alabama
0–8 Commanding General, US Army Operational Test and Evaluation Agency, Falls Church, Virginia

Office, Deputy Chief of Staff for Personnel

0–8 Commanding General, USA Military Personnel Center, Alexandria, Virginia
0–8 Commanding General, USA Recruiting Command, Fort Sheridan, Illinois
0–7 Deputy Commanding General, East USA Recruiting Command, Fort Sheridan, Illinois
0–7 Deputy Commanding General, West USA Recruiting Command, Fort Sheridan, Illinois

Office, Deputy Chief of Staff for Logistics

0–7 Commanding General, US Army Troop Support Agency, Fort Lee, Virginia

Office, Deputy Chief of Staff for Operations and Plans

0–8 Commanding General, US Army Computer Systems Command, Fort Belvoir, Virginia

Office, The Deputy Chief of Staff for Personnel

0–7 Commanding General, US Army Reserve Components Personnel and Administration Center, St. Louis, Missouri

Office, The Judge Advocate General

0–7 Commanding General, Chief Judge, US Army Legal Services Agency/United States Court of Military Review, Falls Church, Virginia

Office, The Surgeon General

0–7/0–8 Commanding General, US Army Medical Research and Development Command, Fort Detrick, Maryland

US Army Training and Doctrine Command—Fort Monroe, Virginia

0–8 Chief of Staff
0–8 Deputy Chief of Staff, Combat Developments
0–7 Commanding General, Combat Developments Experimentation Command, Fort Ord, California
0–8 Commanding General, TRADOC Combined Arms Test Activity, Fort Hood, Texas

US Army Materiel Development and Readiness Command, Alexandria, Virginia

0–8 Deputy Commander, Resources and Management
0–7/0–8 Director, Development & Engineering
0–8 Director, Procurement & Production
0–7 Director, Materiel Management
0–7/0–8 Director, Security Assistance/CDR, USA Security Assistance Center
0–8 Comptroller
0–8 Commanding General, US Army Tank-Automotive Command, Warren, Michigan
0–7 Deputy Commanding General for Research & Development, US Army Tank-Automotive Command, Warren, Michigan
0–8 Commanding General, U.S. Army Aviation Research and Development Command, St. Louis, Missouri
0–8 Commanding General, US. Army Troop Support and Aviation Materiel Readiness Command-St. Louis, Missouri
0–7 Deputy Commanding General, US Army Troop Support and Aviation Materiel Readiness Command-St. Louis, Missouri
0–8 Commanding General, US Army Armament Munitions & Chemical Command—Rock Island, Illinois
0–7 Deputy Commanding General for Procurement and Readiness, US Army Armament Munitions & Chemical Command—Rock Island, Illinois
0–8 Commanding General, US Army Armament Research and Development Center—Picatinny Arsenal, New Jersey
0–7 Commanding General, USA Chemical Research & Development Center/Deputy Commanding General, US Army Armament Research and Development Center—Picatinny Arsenal, New Jersey
0–8 Commander, US Army Missile Command—Redstone Arsenal, Alabama
0–7 Deputy Commanding General for Procurement & Readiness, US Army Missile Command—Redstone Arsenal, Alabama
0–7 Deputy Commanding General for Research and Development, US Army Missile Command—Redstone Arsenal, Alabama
0–8 Commanding General, US Army Communications & Electronics Command
0–7 Deputy Commanding General for Procurement and Readiness, US Army Communications & Electronics Command
0–8 Commanding General, US Army Electronics Research & Development Command—Adelphi, Maryland
0–8 Commanding General, US Army Test & Evaluation Command—Aberdeen Proving Ground, Maryland
0–7 Commanding General, White Sands Missile Range—White Sands, New Mexico
0–7 Commanding General, US Army Depot System Command—Chambersburg, Pennsylvania
0–8 Project Manager, M–1 Tank—Warren, Michigan
0–8 Project Manager, Patriot—Redstone Arsenal, Alabama
0–7 Project Manager, Fighting Vehicle Systems—Warren, Michigan
0–7 Program Manager, Advanced Attack Helicopter Program—St. Louis, Missouri
0–7 Project Manager, Saudi Arabian National Guard Modernization—Saudi Arabia

U.S. Army Communications Command

0–8 Commanding General, US Army Communications Command, Fort Huachuca, Arizona
0–7 Commanding General, US Army Communications Systems Agency, Fort Monmouth, New Jersey

Other Commands

0–8 Commander, Military Traffic Management Command, Washington, D.C.
0–8 Commanding General, US Army Intelligence and Security Command, Arlington, Virginia
0–8 Commanding General, US Army Military District of Washington, Washington, D.C.
0–8 Commanding General, US Army Criminal Investigation Command, Falls Church, Virginia
0–8 Commanding General, US Army Health Services Command, Fort Sam Houston, Texas

MAJOR OVERSEAS COMMANDS

US Army, Europe and Seventh Army

0–8 Chief of Staff
0–8 Deputy Chief of Staff, Engineer
0–8 Commanding General, US Army Southern European Task Force

U.S. Army Japan/IX Corps

0–7/0–8 Chief of Staff

Special Activities

Army and Air Force Exchange Service

0–8 Commander, Army and Air Force Exchange Servicer-Dallas, TX

AGENCY: DEPARTMENT OF THE NAVY

Positions:

Office of the Assistant Secretary of the Navy (Manpower and Reserve Affairs)

SES Principal Deputy Assistant Secretary of the Navy (Manpower and Reserve Affairs)
SES Deputy Assistant Secretary of the Navy (Manpower)
SES Deputy Assistant Secretary of the Navy (Reserve Affairs)
SES Deputy Assistant Secretary of the Navy (CPP/EEO)

Office of the Assistant Secretary of the Navy (Shipbuilding and Logistics)

SES Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics)
SES Director, Office of Small and Disadvantaged Business Utilization
SES Director of Resources & Policy Evaluation
SES Deputy Assistant Secretary of the Navy (Installations and Facilities)
SES Deputy Assistant Secretary of the Navy (Sealift & Maritime Affairs)

Office of the Assistant Secretary of the Navy (Research, Engineering and Systems)

SES Deputy Assistant Secretary of the Navy (Research & Applied Space Technology)
SES Associate Deputy Assistant Secretary of the Navy (Systems Engineering)
SES Principal Deputy Assistant Secretary of the Navy (Research, Engin, and Systems)
SES DASN (Command, Control, Communications & Intelligence)

Office of the Assistant Secretary of the Navy (Financial Management)

SES Special Assistant for Data Automation

Office of the Auditor General of the Navy

SES Auditor General of the Navy

Office of the Comptroller of the Navy

SES Director of Banking and Contract Financing

Office of the General Counsel

SES General Counsel of the Navy
SES Principal Deputy General Counsel
SES Deputy General Counsel (Logistics)

Office of the Chief of Naval Operations

SES Asst. Dep. Chief of Naval Operations (Civ. Pers/EEO)

Navy Regional Data Automation Center

SES Technical Director

Military Sealift Command

SES Deputy Executive Director

Office of the Chief of Naval Education and Training

SES Principal Advisor for Education & Training/Deputy CNET for Ed. Development & R&D

Naval Security Group Command Headquarters

SES Technical Director

US Marine Corps Headquarters

SES Fiscal Director of the Marine Corps
SES Assistant Deputy Chief of Staff for Installations and Logistics
SES Director, Contracts Division

Office of Naval Research

SES Director, Acquisition

Naval Material Command Headquarters

SES Executive Director for Contracts and Business Management
SES Assistant Deputy Chief of Naval Material (Operations and Logistics)
SES Deputy Chief of Naval Material for Reliability, Maintainability and Quality Assurance
SES Director, Procurement Control & Clearance Division
SES Deputy Chief of Naval Material

Strategic Systems Project Office

SES Director, Plans and Program Division

Joint Cruise Missile Project Office

SES* Technical Director Joint Cruise Missiles Project

Naval Air Systems Command HQ

SES Executive Director for Procurement Management

Naval Electronic Systems Command

SES Executive Director, Contracts

Naval Facilities Engineering Command Headquarters

SES Assistant Commander for Contracts

Naval Sea Systems Command HQ

SES Assistant Deputy Commander for Contracts

Naval Supply Systems Command Headquarters

SES Assistant Deputy Commander, Plans, Policy and Systems Design

Military

0-7* Assistant Deputy Commander for Surface Ships Logistics Management, NAVSEASYSCOM
0-7* Deputy Commander for Surface Ships, NAVSEASYSCOM
0-8 Vice Commander, Naval Air Systems Command
0-7/0-8 Deputy Commander for Plans and Programs, Naval Air Systems Command
0-7 Assistant Commander for Contracts, Naval Air Systems Command
0-8 Plans & Programs Chief, Assistant Commander for Logistics and Fleet Support, Naval Air Systems Command
0-8 Assistant Commander for Systems and Engineering, Naval Air Systems Command
0-7 Assistant Commander for Test and Evaluation, Naval Air Systems Command
0-7 Commander, Naval Aviation Logistics Center, Naval Air Systems Command
0-7 Deputy Chief of Naval Material for Logistics, Plans & Programs Chief HDQTRS NAVMATCOMD
0-7/0-8 Deputy Chief of Naval Material for Acquisition, Plans & Programs Chief HDQUTRS NAVMATCOMD
0-7/0-8 Project Manager, TRIDENT System, Project Office, Naval Material Command
0-7 Major Project Manager, LAMPS, NAVAIRSYSCOM
0-7 Director, Saudi Naval Expansion Program NAVMAT
0-7 Director, Joint Cruise Missile Project, Joint Cruise Missiles Project Office (JPM-3)
0-7/0-8 Technical Director, Strategic Systems Projects, SSPO
0-7 Program Manager, ASW Systems Project Office Anti-Submarine Warfare Systems Project Office ADDU: Deputy Director OP-92
0-8 Vice Commander, Naval Sea Systems Command and Chief of Staff Plans & Programs Chief/Deputy Comptroller Naval Sea Systems Command
0-7 Deputy Commander for Contracts NAVSEASYSCOM
0-7/0-8 NAVSEA Principal Deputy Commander for Acquisition, NAVSEASYSCOM
0-7/0-8 Principal Deputy Commander for Logistics NAVSEASYSCOM
0-7/0-8 Deputy Commander for Combat, Systems, NAVSEASYSCOM ADDU: to OP-03X
0-7 Assistant Deputy Commander for AntiSubmarine Warfare and Underwater Systems, NAVSEASYSCOM
0-7/0-8 Project Manager, AEGIS Shipbuilding Project, NAVSEASYSCOM
0-7/0-8 Deputy Commander for Industrial and Facility Management, NAVSEASYSCOM
0-7/0-8 Deputy Commander for Submarines, NAVSEASYSCOM
0-7 Supervisor for Shipbuilding, Commanding Officer Shore Activity, Newport News
0-7/0-8 Deputy Commander for Command, Control, Communications and Intelligence Systems and Technology, Naval Electronic Systems Command
0-7/0-8 Deputy Commander for Ship Design and Integration, Naval Sea Systems Command
0-8 Commander, Naval Supply Systems Command and Chief of Supply Corps
0-7/0-8 Vice Commander, Naval Supply Systems Command
0-7/0-8 Deputy Commander Plans, Policy and Programs Development, Naval Supply Systems Command
0-7/0-8 Commanding Officer Shore Activity, Navy Ships Parts Control Center, Mechanicsburg, PA
0-7 Supervisor of Shipbuilding Commanding Officer, Shore Activity, Pascagoula, MS
0-7/0-8 Commander, Navy Resale and Services Support Office, Staten Island
0-7/0-8 Commanding Officer Shore Activity, Navy Aviation Supply Office, Philadelphia, PA
0-8 Commander, Naval Electronics Systems Command Headquarters
0-8 Vice Commander, Naval Electronics Systems Command
0-7/0-8 Commander, Naval Oceanography Command
0-8 Commander, Naval Telecommunications Command, Naval Telecommunications
0-8 Commander, Naval Facilities Engineering Command, Chief, Civil Engineering, Plans & Programs Chief
0-8 Vice Commander, Naval Facilities Engineering Command
0-7 Deputy Commander for Planning, Naval Facilities Engineering Command ADDU: to OP-04E
0-7/0-8 Commanding Officer, Shore Activity, Atlantic Division, Naval Facilities Engineering Command ADDU: ACOS Facilities Engineer CINCLANTFLT
0-7/0-8 Deputy Commander for Life Cycle Engineering and Platform Integration, NAVMAT
0-8 Director, Strategic System Project Office, NAVMAT
0-8 Deputy Commander, Military Sealift Command
0-7/0-8 Commanding Officer Shore Activity, Pacific Division, Naval Facilities Engineering Command, ADDU: Fleet Civil Engineer CINCPACFLT
0-7 Commanding Officer Shore Activity, Northern Division, Naval Facilities Engineering Command
0-7 Commanding Officer Shore Activity, Western Division, Naval Facilities Engineering Commanding
0-7/0-8 Director, Multilateral Support Force, Amphibious, Mine and Advanced Naval Vehicles Ships Division, CNO
0-7/0-8 Director, Logistics Plans Division, CNO
0-7/0-8 Director, Material Division, CNO
0-7/0-8 Director, Ships Maintenance and Modernization Division, CNO
0-7/0-8 Director, Shore Activities Planning and Programming Division, CNO

Office of the Comptroller of the Navy

0-7/0-8 Deputy Comptroller of the Navy
0-7/0-8 Director of Budget and Reports/Fiscal Management Division, Office of the Navy Comptroller
0-7/0-8 Assistant Comptroller, Finanical Management Systems/Commander, Navy Accounting and Finance Center
0-7 Deputy Chief of Naval Material for Contracts
0-7 Director, Tactical Nuclear Weapons Project, NAVMAT
0-7 Supervisor of Shipbuilding, Conversion and Repair, Groton, CT
0-7/0-8 Assistant Chief for Health Care Programs, Commander Naval Medical Command

Other Officers

0-7/0-8 Commanding General, Marine Corps Development and Education Command, Quantico, Virginia
0-7/0-8 Deputy Chief of Staff for Research Development and Studies, HQMC
0-7/0-8 Deputy Chief of Staff for Requirements and Programs, HQMC
0-7/0-8 Director, Personnel Procurement, HQMC
0-7/0-8 Director of Material Division, HQMC
0-7/0-8 Director, Facilities and Services Division, HQMC
0-7/0-8 Director, Command, Control, Communications and Computer Systems Division, HQMC
0-7/0-8 Commamding General Marine Corps Logistics Base, Albany, Georgia
0-7/0-8 Commanding General Marine Corps Logistics Base, Barstow, California

AGENCY: DEFENSE COMMUNICATIONS AGENCY

Positions:

0–7 Director, Defense Communications System Organization (DCSO)
0–7 Commander, White House Communications Agency
0–7 Director, Command & Control Technical Center (CCTC)
SES Deputy Director, WWMCCS ADP Technical Support, CCTC
SES Comptroller, DCA
SES Director, Planning & Systems Integration Center (PSIC)
0–8 Vice Director, Defense Communications Agency
SES Principal Deputy Director, DCEC
SES Deputy Director, CCTC
SES Associate Director for Integration Systems Design, DCEC
SES Deputy Manager, National Communications System, DCA
SES Chief, Strategic Connectivity Engineering Division, CCTC
SES Deputy for Communications Architecture, PSIC
SES Assistant Deputy Director, Plans & Programs, DCSO
SES Deputy Director, Switched Systems, DCS
SES General Counsel, DCA
SES* Deputy Director for C^3 Architecture and Mission Analysis, PSIC
SES Deputy Director, Military Satellite Communications Systems, PSI
SES Deputy Director for C^2 Engineering, CCTC
SES Deputy Director, DCSO
SES* Deputy Director, Switched Network Engineering Division, DCEC

AGENCY: DEFENSE INTELLIGENCE AGENCY

Positions:

DISES Deputy Director for Intelligence and External Affairs
DISES Assistant Director for Resources and Systems
DISES Deputy Assistant Director for Defense Intelligence Systems
DISES Assistant Deputy Director for Plans and Policy
DISES GDIP Staff Director
DISES Staff Director, Intelligence Support Program Office
0–8 Deputy Director, Defense Intelligence Agency

AGENCY: DEFENSE CONTRACT AUDIT AGENCY

Positions:

SES Director
SES Deputy Director
SES* General Counsel
SES* Assistant Director, Operations and Professional Development
SES* Assistant Director, Policy and Plans
SES* Assistant Director, Resources
SES* Director, Field Detachment
SES* Regional Director, Atlanta
SES* Regional Director, Boston
SES* Regional Director, Chicago
SES* Regional Director, Los Angeles
SES* Regional Director, Philadelphia
SES* Regional Director, San Francisco

AGENCY: DEFENSE LOGISTICS AGENCY

Positions:

0–8 Deputy Director
0–8 Deputy Director, (Acquisition Management)
0–8 Assistant Director, Office of Plans, Policies and Programs
0–7 Executive Director, Supply Operations
0–7/0–8 Executive Director, Office of Telecommunications and Information Systems
0–7/0–8 Executive Director, Quality Assurance
0–8 Commander, Defense Construction Supply Center
0–7 Commander, Defense Electronics Supply Center
0–8 Commander, Defense Fuel Supply Center
0–7 Commander, Defense General Supply Center
0–7 Commander, Defense Industrial Supply Center
0–8 Commander, Defense Personnel Support Center
0–7 Commander, Defense Contract Administration Services Region, Los Angeles

Headquarters

SES Comptroller, DLA
SES General/Counsel, DLA
SES Executive Director, Technical and Logistics Services
SES Executive Director, Contracting
SES Deputy Executive Director, Supply Operations
SES Executive Director, Contract Management
SES Associate General Counsel, DLA
SES Chief, Logistics Programs Division, Directorate of Supply Operations
SES Chief, Contracts Division, Directorate of Contracting
SES Deputy Assistant Director, Office of Telecommunications and Information Systems
SES Deputy Executive Director, Quality Assurance
SES Staff Director, Small and Disadvantaged Business Utilization
SES Chief, Accounting and Finance Division, Office of Comptroller
SES Financial Manager, Defense Personnel Support Center

AGENCY: DEFENSE MAPPING AGENCY

Positions:

SES Deputy Director, Management & Technology
SES Deputy Director, for Programs, Production/Operations
SES Deputy Director for Systems and Techniques
SES Comptroller (2)
0–8 Director, Defense Mapping Agency
0–7 Deputy Director, Defense Mapping Agency
0–7 Deputy Director for Plans and Requirements
SES Director of Personnel
SES Assistant Deputy Director for Programming
SES Assistant Deputy Director for Production and Distribution
SES Chief, Advanced Technology Division
SES Chief, Acquisitions Systems Development Division
SES Director, Special Program Office for Exploitation Modernization

AGENCY: DEFENSE NUCLEAR AGENCY

Positions:

0–9 Director
AD Deputy Director, Science and Technology
AD Scientific Assistant to the Deputy Director, Science and Technology
AD Assistant to the Deputy Director (Science and Technology) for Theoretical Research
AD Assistant to the Deputy Director (Science and Technology) for Experimental Research
AD Assistant to the Deputy Director (Science and Technology) for Testing
AD Special Assistant to the Deputy Director (Science and Technology) for Technology Transfer
AD Scientific Advisor to the Director, Armed Forces Radiobiology Research Institute
0–8 Deupty Director (Operations and Administration)
0–7 Commander, Field Command
SES Director, Acquisition Management
SES Comptroller

AGENCY: NATIONAL SECURITY AGENCY

Positions:

Military Positions

0–8 Assistant Deputy Director, NSA
0–7 Chief of the Office of Support to Military Operations

AGENCY: DEPARTMENT OF EDUCATION

Positions

Office of the Secretary

SES Counselor/Executive Assistant to the Secretary
SES Executive Secretary to the Secretary

Office of the Under Secretary

SES Director of Regional Liaison
SES Deputy Director, Regional Liaison

Deputy Under Secretary for Management

SES Comptroller
SES Administrator for Management Services

Deputy Under Secretary for Planning, Budget and Evaluation

SES Director of Budget Systems
SES Director of Planning and Evaluation Services

Deputy Under Secretary for Intergovernmental and Interagency Affairs

SES Director, Intergovernmental Affairs
SES Director, Interagency Affairs

Assistant Secretary for Legislation and Public Affairs

SES Deputy Assistant Secretary for Legislation
SES Deputy Assistant Secretary for Public Affairs

General Counsel

SES Deputy General Counsel for Department Services
SES Associate General Counsel for Programs

Inspector General

SES Deputy Inspector General
SES Assistant Inspector General for Investigation
SES Assistant Inspector General for Policy, Planning and Management
SES* Assistant Inspector General for Audit

Office of Civil Rights

SES Deputy Assistant Secretary for Civil Rights
SES Director of Litigation, Enforcement and Policy
SES Director of Planning and Compliance Operations

Office of Bilingual Education and Minority Languages Affairs

SES Director Office of Bilingual Education and Minority Languages Affairs
SES Deputy Director Office of Bilingual Education and Minority Languages Affairs

Office of Special Education and Rehabilitative Services

SES* Deputy Assistant Secretary
SES Deputy Director, National Institute of Handicapped Research
SES Director, Office of Special Education Programs
SES Executive Administrator

Office of Postsecondary Education

SES Deputy Assistant Secretary for Student Financial Assistance
SES* Deputy Assistant Secretary for Higher Education Programs

Office of Vocational and Adult Education

SES Deputy Assistant Secretary for Vocational and Adult Education
SES Director of Policy Analysis and Legislation

Office of Elementary and Secondary Education

SES Deputy Assistant Secretary for Programs and Administration
SES* Deputy Assistant Secretary for Dissemination and Special Initiatives

Office of Education Research & Improvement

SES Deputy Assistant Secretary for Educational Research and Improvement
SES Deputy Director, National Institute of Education
SES Administrator, National Center for Education Statistics
SES Deputy Administrator, National Center for Education Statistics
SES* Director, Center for Education Improvement

AGENCY: DEPARTMENT OF ENERGY

Positions:

Office of the Secretary

SES Assistant to the Secretary
SES Executive Assistant to the Deputy Secretary
SES* Special Assistant to the Secretary (2)
SES Special Assistant to the Secretary for Programs and Policies
SES Administrative Assistant to the Secretary and Chief of Staff
SES Deputy Under Secretary of Energy
SES Manager, Albuquerque Operations Office
SES Deputy Manager, Albuquerque Operations Office
SES Manager, Chicago Operations Office
SES Deputy Manager, Chicago Operations Office
SES Manager, Idaho Operations Office
SES Deputy Manager, Idaho Operations Office
SES Manager, Nevada Operations Office
SES Deputy Manager, Nevada Operations Office
SES Manager, Oak Ridge Operations Office
SES Deputy Manager, Oak Ridge Operations Office
SES Manager, Richland Operations Office
SES Deputy Manager, Richland Operations Office
SES Manager, San Francisco Operations Office
SES Deputy Manager, San Francisco Operations Office
SES Manager, Savannah River Operations Office
SES Deputy Manager, Savannah River Operations Office

Office of the Inspector General

SES Assistant Inspector General for Audits
SES Assistant Inspector General for Inspections
SES Assistant Inspector General for Investigations

Office of the General Counsel

SES Deputy General Counsel
SES Deputy General Counsel for Regulations
SES Deputy General Counsel for Enforcement and Litigation
SES Deputy General Counsel for Programs
SES Deputy General Counsel for Legal Services

Economic Regulatory Administration

SES Deputy Administrator, Office of the Administrator
SES Special Counsel for Compliance, Office of Special Counsel
SES Deputy Special Counsel for Compliance, Office of Special Counsel
SES Solicitor, Office of the Solicitor
SES Director, Office of Fuels Programs, Office of Fuels Programs
SES* Deputy Director, Office of Fuels Programs, Office of Fuels Programs

Energy Information Administration

SES Deputy Administrator, Energy Information Administration
SES Director, Office of Oil and Gas
SES Director, Office of Energy Markets and End Use
SES Director, Office of Statistical Standards

Assistant Secretary for Conservation and Renewable Energy

SES Principal Deputy Assistant Secretary for Conservation and Renewable Energy
SES Administrator, Alaska Power Administration
SES Administrator, Bonneville Power Administration
SES Assistant Administrator for Engineering and Construction, Bonneville Power Administration
SES Assistant Administrator for Power Management, Bonneville Power Administration
SES Deputy Administrator, Bonneville Power Administration
SES Assistant Administrator for Conservation and Direct Application—Renewable Resource, Bonneville Power Administration
SES Administrator, Southeastern Power Administration
SES Administrator, Southwestern Power Administration
SES Deputy Administrator, Southwestern Power Administration
SES Administrator, Western Area Power Administration
SES Deputy Administrator, Western Area Power Administration
SES Deputy Assistant Secretary for Conservation
SES Deputy Assistant Secretary for Renewable Energy

Assistant Secretary for Environmental Protection, Safety and Emergency Preparedness

SES Deputy Assistant Secretary for Environmental Protection, Safety and Emergency Preparedness
SES Deputy Assistant Secretary for Energy Emergencies
SES Director, Office of Environmental Assessments, Deputy Assistant Secretary for Environment, Safety and Health
SES Director, Office of Environmental Compliance, Deputy Assistant Secretary for Environment, Safety and Health
SES Deputy Assistant Secretary for Environmental Safety and Health
SES Deputy Assistant Secretary for Strategic Petroleum Reserve

Assistant Secretary for Defense Programs

SES Deputy Assistant Secretary for Defense Programs
SES Deputy Assistant Secretary for Security Affairs
SES Deputy Director, Office of Military Applications, Deputy Assistant Secretary for Military Applications
SES Deputy Director, Office of Inertial Fusion
SES Director, Office of Inertial Fusion
SES Director, Office of International Security Affairs
SES Deputy Director, Office of International Security Affairs
SES Director, Politico Military Security Affairs Division, Office of the Director of International Security Affairs
SES Director, Office of Classification

SES Deputy Director, Office of Classification
SES Deputy Director, Office of Safeguards and Securities
SES Director, Office of Safeguards and Securities
SES Director, Office of Nuclear Materials Production, Deputy Assistant Secretary for Nuclear Materials Production
SES Deputy Director, Office of Nuclear Materials Production, Deputy Assistant Secretary for Nuclear Materials Production
SES Deputy Assistant Secretary for Nuclear Materials
SES Director, Office of Defense Waste and Byproducts Management, Deputy Assistant Secretary for Nuclear Materials
0-8 Deputy Assistant Secretary for Military Applications/Director of Military Applications

Assistant Secretary for International Affairs

SES Director, Office of Nuclear Affairs, Office of International Nuclear Nonproliferation Policy
SES Principal Deputy Assistant Secretary for International Affairs
SES Director, Office of International Program Support
SES Deputy Director, Office of Technical Cooperation, Office of International Energy Cooperation

Office of Policy, Planning and Analysis

SES Deputy Director, Office of Policy, Planning and Analysis
SES Director, Office of Policy, Planning and Analysis

Office of Energy Research

SES Deputy Director, Office of Energy Research
SES Associate Director, Office of Health and Environmental Research
SES * Deputy Associate Director, Office of Health and Environmental Research
SES Associate Director, Office of Fusion Energy
SES Deputy Associate Director, Office of Fusion Energy
SES Director, Office of Field Operations Management
SES Director, Office of Program Analysis
SES Associate Director, Office of Basic Energy Sciences
SES Deputy Associate Director for Basic Energy Sciences, Office of Basic Energy Sciences
SES Associate Director of High Energy and Nuclear Physics

Assistant Secretary for Fossil Energy

SES Principal Deputy Assistant Secretary for Fossil Energy
SES Deputy Assistant Secretary for Management, Office of Management and Planning and Technical Coordination
SES Deputy Assistant Secretary for Coal Utilization, Advanced Conversions and Gasification
SES * Deputy Assistant Secretary for Oil, Shale and Coal Liquids

Assistant Secretary for Nuclear Energy

SES Principal Deputy Assistant Secretary for Nuclear Energy
SES Deputy Director, Naval Reactors Division, Deputy Assistant Secretary for Naval Reactors
SES * Deputy Assistant Secretary for Uranium Enrichment and Assessment
SES * Deputy Assistant Secretary for Breeder Reactor Programs

Assistant Secretary, Management and Administration

SES Director, Office of Equal Opportunity
SES Deputy Director, Office of Administrative Services
SES Deputy Assistant Secretary for Management and Administration
SES * Director of Administration
SES * Deputy Director of Administration
SES Director, Office of Personnel
SES Director, Office of Organization and Management Systems
SES Deputy Director, Office of Organization and Management Systems
SES Deputy Director of Project and Facilities Management
SES Director, Office of Project and Facilities Management
SES Director, Office of Administrative Services
SES Director, Office of ADP Management
SES Deputy Director, Office of ADP Management
SES Director, Office of Computer Services and Telecommunications Management
SES Deputy Director, Office of Computer Services and Telecommunications Management
SES Director, Office of Industrial Relations, Office of Contractor Industrial Relations
SES Deputy Director, Office of Industrial Relations, Office of Industrial Relations
SES Director, Office of Small and Disadvantaged Business Utilization
SES Director, Office of Policy
SES Deputy Director, Office of Procurement Support/Director, Conservation, Solar and Institutional Support Division, Office of Procurement Support
SES Director, Office of Procurement Support
SES Director, Office of Procurement Management, Office of Procurement Review
SE Director, Office of Procurement Review, Office of Procurement Review
SES Director, Office of Procurement Operations
SES Deputy Director, Office of Procurement Operations
SES Controller
SES Deputy Controller
SES Director, Office of Budget
SES Director, Office of Financial Policy and Accounting
SES Director, Procurement and Contract Management
SES Deputy Director Procurement and Contract Management

Assistant Secretary, Congressional, Intergovernmental and Public Affairs

SES Deputy Assistant Secretary for Congressional Affairs
SES Deputy Assistant Secretary for House Liaison
SES Deputy Assistant Secretary for Senate Liaison
SES* Principal Deputy Assistant Secretary for Congressional, Intergovernmental and Public Affairs

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES

Positions:

OFFICE OF THE SECRETARY

Immediate Office of the Secretary

SES Chief of Staff
SES Executive Assistant to the Secretary
SES Executive Secretary
SES Deputy Executive Secretaries to the Department (2)

Immediate Office of the Under Secretary

SES Counselor to the Under Secretary
SES Deputy Under Secretary
SES Deputy Under Secretary/ Intergovernmental Affairs
SES Principal Regional Official—Region I
SES Principal Regional Official—Region II
SES Principal Regional Official—Region III
SES Principal Regional Official—Region IV
SES Principal Regional Official—Region V
SES Principal Regional Official—Region VI
SES Principal Regional Official—Region VII
SES Principal Regional Official—Region VIII
SES Principal Regional Official—Region IX
SES Principal Regional Official—Region X
SES Chairman, Departmental Grant Appeals Board

Office of Planning and Evaluation

0-8 Assistant Secretary for Planning and Evaluation (Commissioned Corps Officer)
SES Principal Deputy Assistant Secretary for Planning and Evaluation
SES Deputy Assistant Secretary for Income Security Policy
SES Deputy Assistant Secretary for Health Policy
SES Deputy Assistant Secretary for Program Systems
SES Deputy Assistant Secretary for Social Services Policy
SES Deputy Assistant Secretary for Evaluation and Technical Analysis

Office of Inspector General

SES Assistant Inspector General for Audit
SES Deputy Assistant Inspector General for Audit
SES Senior Assistant Inspector General for Auditing and Systems
SES Assistant Inspector General for Health Care and Systems Review
SES Assistant Inspector General for Investigations
SES Deputy Assistant Inspector General for Investigations
SES Executive Assistant Inspector General
SES Associate Director, Division of University and Non-Profit Audits, Inspector General
SES Associate Director, Division of Social Security Audit, Inspector General
SES* Deputy Assistant Inspector General Social Security Program Integrity Division, Office of Investigation
SES* Deputy Assistant Inspector General Criminal Investigations Division, Office of Investigations

SES* Assistant Inspector General for Health Financing Integrity
SES* Director, Health Care Financing Audit Division, Office of Audit

Office of Management and Budget

SES Assistant Secretary for Management for Budget
SES Deputy Assistant Secretary of Budget
SES Deputy Assistant Secretary for Finance
SES Deputy Assistant Secretary, Management Analysis and Systems
SES Deputy Assistant Secretary, Procurement, Assistance and Logistics
SES* Director, Program Coordination
SES* Director, Division of Health Budget Analysis, Office of Budget, Office of Management and Budget
SES* Director, Division of Welfare Budget Analysis, Office of Budget, Office of Management and Budget
SES* Director, Office of Procurement, and Assistant Policy, Office of Procurement, Assistance, Logistics, Office of Management and Budget
SES* Director, Office of Procurement and Assistance Financial Management, Office of Procurement, Assistance and Logistics, Office of Management and Budget
SES* Director, Office of Facilities and Management Services, Office of Management and Budget
SES* Director, Office of Facilities Engineering, Office of Facilities and Management Services, Office of Management and Budget
SES* Director, Office of Computer and Information Systems, Office of Management Analysis and Systems, Office of Management and Budget

Legislation

SES Deputy Assistant Secretary for Legislation
SES Deputy Assistant Secretary for Legislation (Health)
SES Deputy Assistant Secretary for Legislation (Human Services)
SES Director of Program Coordination
SES Deputy Assistant Secretary for Legislation (Special Projects)
SES Deputy Assistant Secretary for Legislation (Congressional Liaison)

Office for Civil Rights

SES Special Assistant to the Secretary for Civil Rights, Director, Office for Civil Rights
SES Deputy Director for Program Operations, OCR
SES Associate Deputy Director for Program Operations, OCR
SES* Deputy Director for Management and Policy, OCR

Office for Personnel Administration

SES Assistant Secretary for Personnel Administration
SES Deputy Assistant Secretary, Personnel
SES Director, Office of Personnel Systems Integrity
SES Deputy Assistant Secretary, Equal Employment Opportunity

Office of Public Affairs

SES Deputy Assistant Secretary for Operations Management
SES Deputy Assistant Secretary for Communication Planning
SES Special Assistant to Assistant Secretary for Public Affairs
SES Deputy Assistant Secretary for Public Affairs (Public Liaison)

Office of the General Counsel

SES Deputy General Counsel, Program Review
SES Deputy General Counsel, Regulations
SES Deputy General Counsel, Litigation
SES Legal Counsel
SES* Associate General Counsel for Enforcement
SES Assistant General Counsel, Legislation Division
SES Assistant General Counsel, Public Health Division
SES Assistant General Counsel, Social Security
SES Assistant General Counsel, Food and Drug Administration
SES Assistant General Counsel, Health Care Financing and Human Development
SES Assistant General Counsel, Civil Rights Division
SES Assistant General Counsel, Business and Administrative Law Division
SES* Assistant General Counsel, Inspector General Division
SES Associate General Counsel

Office of Consumer Affairs

SES Deputy Director, Office of Consumer Affairs

Office of Human Development Services

SES Deputy Commissioner, Administration on Aging
SES Deputy Assistant Secretary, Human Development Services
GS-18 Commissioner, Administration for Children, Youth and Families
SES Deputy Commissioner, Administration for Children, Youth and Families
SES Commissioner, Administration for Native Americans
SES Commissioner, Administration on Developmental Disabilities
SES Director, Office of Program Coordination and Review
SES* Director, Office of Policy Development
SES* Deputy Director, Office of Policy Development
SES* Deputy Director, Office of Program Coordination and Review

Health Care Financing Administration

SES Administrator, Health Care Financing Administration
SES Deputy Administrator, Health Care Financing Administration
SES Director, Bureau of Program Operations
SES Director, Health Standards and Quality Bureau
SES Director, Office of Management and Budget
SES Director, Office of Research and Demonstrations
SES* Medical Officer
GS-17 Director, Office of Professional and Scientific Affairs
SES Chairperson, Provider Reimbursement Review Board
SES Associate Administrator for Management and Support Services
SES Associate Administrator for Policy
SES Associate Administrator for Operations
SES Deputy Associate Administrator for Operations (Field)
SES Associate Administrator for External Affairs
SES Director, Office of Executive Operations
SES Regional Administrator, Region I
SES Regional Administrator, Region II
SES Regional Administrator, Region III
SES Regional Administrator, Region IV
SES Regional Administrator, Region V
SES Regional Administrator, Region VI
SES Regional Administrator, Region VII
SES Regional Administrator, Region VIII
SES Regional Administrator, Region IX
SES Regional Administrator, Region X
SES Director, Bureau of Eligibility Reimbursement and Coverage
SES Director, Bureau of Quality Control
SES Director, Office of Legislation and Policy
SES Director, Bureau of Support Services
SES Director, Office of Public Affairs
SES Director, Bureau of Data Management and Strategy

Public Health Service

Office of the Assistant Secretary for Health

SES Deputy Assistant Secretary, Health Operations
SES Deputy Assistant Secretary, Planning and Evaluation
SES Director, Office of International Health
SES Deputy Assistant Secretary, Population Affairs
SES/0-7 Regional Health Administrators—Regions I-X
SES Executive Director, President's Council on Physical Fitness and Sports
SES Director, National Center for Health Statistics
SES Deputy Director, National Center for Health Statistics
SES Director, National Center for Health Services Research
0-8 Deputy Surgeon General and Chief Dental Officer, Public Health Service
0-8 Senior Advisor for Environmental Affairs
0-7 Deputy Assistant Secretary for Health for Disease Prevention and Health Promotion

Center for Disease Control

0-8 Director, Centers for Disease Control
SES Deputy Director, Centers for Disease Control
0-7 Director, Center for Prevention Services
SES Assistant Director for International Health
SES Executive Officer, Centers for Disease Control
SES Director, Licensure and Proficiency Testing Division, Laboratory Program Office
0-7 Program Manager, Expanded Program on Immunization, World Health Organization, International Health Program Office
SES Director, Center for Environmental Health

SES Director, Clinical Chemistry Division, Center for Environmental Health
SES Assistant to Director, Center for Environmental Health
SES Director, Center for Infectious Diseases
SES Director, Parasitology Division, Center for Infectious Diseases
SES Assistant Director for Laboratory Science, Center for Infectious Diseases
SES Director, Center for Professional Development and Training
SES Director, Center for Health Promotion and Education
SES Director, National Institute for Occupational Safety and Health
SES Deputy Director, National Institute for Occupational Safety and Health
SES Assistant Director for Laboratory Science, Division of Parasitic Diseases, CID

Health Resources and Services Administration

0-8 Administrator, Health Resources and Services Administration
SES Deputy Administrator
0-8 Director, Bureau of Health Care Delivery and Assistance
SES Deputy Director, Bureau of Health Care Delivery and Assistance
SES Director, Bureau of Health Professions
SES Deputy Director, Bureau of Health Professions
0-8 Director, Indian Health Service
SES Deputy Director, Indian Health Service
SES* Director, Bureau of Health Maintenance Organizations and Resources Development
SES* Deputy Director, Bureau of Health Maintenance Organizations and Resources Development

Alcohol, Drug Abuse, and Mental Health Administration

SES Deputy Administrator, ADAMHA
SES Associate Administrator for Extramural Programs, ADAMHA
SES Associate Administrator for Program Planning and Coordination, ADAMHA
SES Director, National Institute on Alcohol Abuse and Alcoholism
SES Deputy Director, National Institute on Alcohol Abuse and Alcoholism
0-8 Director, National Institute on Mental Health
SES Deputy Director, National Institute of Mental Health
0-8 Director, National Institute on Drug Abuse
SES Deputy Director, National Institute on Drug Abuse

National Institutes of Health

SES Deputy Director, NIH
SES Deputy Director for Intramural Research
SES Associate Director for Extramural Research Training
SES Associate Director for Program Planning and Evaluation
SES Associate Director for Administration
SES Associate Director for Communications
SES Associate Director for Research Services
SES Associate Director for Clinical Care, NIH and Director of Clinical Center
SES Director, Division of Computer Research and Technology
SES Director, Division of Research Grants
SES Deputy Director, Division of Research Grants
0-8 Director, National Cancer Institute
SES Deputy, Director, National Cancer Institute
0-7 Associate Director for Medical Applications of Research
SES Director, Division of Research Resources
SES Deputy Director, Division of Reseach Resources
SES Director, Division of Research Services
SES Director, National Eye Institute
SES* Deputy Director, National Eye Institute
SES Director, National Heart, Lung, and Blood Institute
0-7 Deputy Director, National Heart, Lung, and Blood Institute
0-8 Director, National Institute of Allergy and Infectious Diseases
SES Deputy Director, National Institute of Allergy and Infectious Diseases
SES Director, National Institute of Arthritis, Metabolism and Digestive Diseases
0-7 Deputy Director, National Institute of Arthritis, Metabolism and Digestive Diseases
0-7 Director, National Institute on Aging
SES Deputy Director, National Institute on Aging
SES Director, National Institute on Child Health and Human Development
SES Deputy Director, National Institute on Child Health and Human Development
0-7 Director, National Institute on Dental Research
0-8 Director, National Institute on Environmental Health Sciences
SES Deputy Director, National Institute on Environmental Health Sciences
SES Director, National Institute of General Medical Sciences
0-7 Director, National Institute of Neurological and Communicative Disorders and Stroke
SES Deputy Director, National Institute of Neurological and Communicative Disorders and Stroke
SES Director, National Library of Medicine
SES Deputy Director, National Library of Medicine

Food and Drug Administration

0-8 Commissioner of Food and Drugs
SES Deputy Commissioner of Food and Drugs
SES* Associate Commissioner for Consumer Affairs
SES Associate Commissioner for Legislation and Information
SES Associate Commissioner for Health Affairs
SES Associate Commissioner for Planning and Evaluation
SES Associate Commissioner for Regulatory Affairs
SES Director, Enforcement Policy Staff
SES Director, Parklawn Computer Center
SES Director, Orphan Products Development
SES Deputy Associate Commissioner for Regulatory Affairs
SES Associate Commissioner for Management and Operations

Bureau of Foods

SES Director, Bureau of Foods
SES Deputy Director, Bureau of Foods
SES Associate Director for Toxicological Sciences
SES Deputy Associate Director Office of Sciences
SES Director, Division of Toxicology
SES Associate Director for Regulatory Evaluation
SES Associate Director for Laboratory Investigations
SES Director, Division of Chemistry and Physics
SES Director, Division of Microbiology
SES Associate Director for Compliance
SES Associate Director for Physicial Sciences
SES Deputy Associate Director for Physical Sciences
SES Director, Division of Food Technology
SES Director, Division of Chemical Technology
SES Associate Director for Nutrition and Food Sciences
SES* Director, Division of Regulatory Guidance
SES* Associate Director for Planning and Operations
SES Deputy Associate Director for Nutrition and Food Sciences
SES Director, Division of Nutrition

National Center for Drugs and Biologics

0-8* Director, National Center for Drugs and Biologics
SES* Scientific Director
0-7* Director, Office of Biologics
SES* Deputy Director, Office of Biologics
0-7 Director, Office of Drugs
SES Associate Director for Compliance
SES Director, Office of New Drug Evaluation
SES* Deputy Director for Program Management
SES Director, Division of Oncology and Radiopharmaceutical Drugs Products
SES Director, Division of Scientific Investigations Staff
SES Director, Division of Anti-Infective Drug Products
SES Director, Division of Metabolism and Endocrine Drug Products
SES Director, Division of Surgical-Dental Drug Products
SES Director, Division of Neuropharmacological Drugs Products
SES Associate Director for Pharmaceutical Research and Testing
SES Director, Division of Drug Biology
SES Director, Division of Drug Chemistry
SES* Director, Division of Product Quality Control
SES Director, Division of Blood and Blood Products
SES* Director, Division of Biologics Evaluation
SES Associate Director for Information Systems
SES Associate Director for Biometrics and Epidemiology
SES Deputy Associate Director for Biometrics and Epidemiology
SES Director, Division of Biometrics
SES Director, Division of Drug Experience

SES Deputy Associate Director for Drug Monographs
SES Director, Division of Biopharmaceutics

Bureau of Veterinary Medicine

SES Director, Bureau of Veterinary Medicine
SES Deputy Director, Bureau of Veterinary Medicine
SES Associate Director for Scientific Evaluation
SES Director, Division of Therapeutic Drugs for Non-food Animals
SES Associate Director for Human Food Safety
SES Associate Director for Surveillance and Compliance
SES Associate Director for Research
SES Director, Division of Veterinary Medical Research
SES* Associate Director for Voluntary Compliance and Operations
SES* Director, Division of Biometrics and Production Drugs
SES* Director, Division of Therapeutic Drugs for Food Animals
SES* Director, Division of Drug Manufacturing and Controls

NATIONAL CENTER FOR DEVICES AND RADIOLOGICAL HEALTH

SES Associate Director for Device Evaluation
SES Associate Director for Standards
SES Associate Director for Compliance
0-8 Director, National Center for Devices and Radiological Health
SES Deputy Director, Radiological Health
SES Director, Division of Biological Effects

National Center for Toxicological Research

SES Director, National Center for Toxicological Research
SES Associate Director for Biometry and Experimental Design
SES Associate Director for Research
SES Associate Director for Chemical Evaluation

Executive Director of Regional Operations

SES Executive Director of Regional Operations
SES Deputy Executive Director of Regional Operations
SES Associate Director for Field Support
SES Regional Food and Drug Director, Region I
SES Regional Food and Drug Director, Region II
SES Regional Food and Drug Director, Region III
SES Regional Food and Drug Director, Region IV
SES Regional Food and Drug Director, Region V
SES Regional Food and Drug Director, Region VI
SES Regional Food and Drug Director, Region VII
SES Regional Food and Drug Director, Region VIII
SES Regional Food and Drug Director, Region IX
SES Regional Food and Drug Director, Region X
0-7 Regional Medical Officer, Region X

Social Security Administration

SES Deputy Commissioner for Operations
SES Deputy Commissioner for External Affairs
SES Deputy Commissioner, Programs and Policy
SES Deputy to Deputy Commissioner, Programs and Policy
SES Associate Commissioner, Office of Policy
SES Deputy Associate Commissioner, Office of Policy
SES Associate Commissioner, Office of Assessment
SES Deputy Associate Commissioner, Office of Assessment
SES Deputy Commissioner, Systems
SES Associate Commissioner, Office of Family Assistance
SES Deputy Associate Commissioner, Office of Family Assistance
SES Associate Commissioner, Office of Operational Policy and Procedures
SES Deputy Associate Commissioner, Office of Operational Policy and Procedures
SES Associate Commissioner for Central Operations
SES Deputy Associate Commissioner, Office of Central Operations
SES Associate Commissioner, Office of Hearings and Appeals
Deputy Associate Commissioner, Office of Hearings and Appeals
SES Deputy Commissioner for Management Support and Assessment
SES Deputy Director, Office of Child Support Enforcement
SES Regional Commissioner, Boston—Region I
SES Regional Commissioner, New York—Region II
SES Regional Commissioner, Philadelphia—Region III
SES Regional Commissioner, Atlanta—Region IV
SES Regional Commissioner, Chicago—Region V
SES Regional Commissioner, Dallas—Region VI
SES Regional Commissioner, Kansas City—Region VII
SES Regional Commissioner, Denver—Region VIII
SES Regional Commissioner, San Francisco—Region IX
SES Regional Commissioner, Seattle—Region X
SES Senior Executive Officer
SES Associate Commissioner for Field Operations
SES Deputy Associate Commissioner for Field Operations
SES Deputy Associate Commissioner for Governmental Affairs
SES Chief Actuary
SES Associate Commissioner, Office of Management, Budget and Personnel
SES Deputy Associate Commissioner, Office of Management, Budget and Personnel
SES Associate Commissioner for System Operation
SES Associate Commissioner for System Integration
SES Director, Office of Refugee Resettlement
SES* Associate Commissioner for Governmental Affairs
SES* Associate Commissioner for System Requirement
SES* Deputy Associate Commissioner for Systems Operations
SES* Deputy Associate Commissioner for System Requirements
SES* Deputy Associate Commissioner for System Integration

AGENCY: DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Positions:

OFFICE OF THE SECRETARY

SES Deputy Undersecretary for Intergovernmental Relations
SES* General Deputy Assistant Secretary for Public Affairs
SES Executive Assistant to the Secretary
SES Executive Assistant to the Under Secretary
SES Deputy Under Secretary for Field Coordination
SES Assistant to the Secretary for International Affairs
SES Assistant to the Secretary for Labor Relations

OFFICE OF THE ASSISTANT SECRETARY FOR HOUSING

SES Deputy Assistant Secretary for Multifamily Housing Programs
SES Deputy Assistant Secretary for Single-Family Housing and Mortgagee Activities
SES Deputy Assistant Secretary for Public and Indian Housing
SES Deputy Assistant Secretary for Policy and Budget
SES General Deputy Assistant Secretary for Housing/Deputy Federal Housing Commissioner
SES Associate General Deputy Assistant Secretary, Housing and Field Coordination
SES Associate General Deputy Assistant Secretary for Housing

OFFICE OF THE ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

SES Deputy Assistant Secretary for Program Policy Development and Evaluation
SES Director, Office of Urban Development Action Grants
SES General Deputy Assistant Secretary for Community Planning and Development
SES Deputy Assistant Secretary for Program Management
SES Deputy Assistant Secretary for Field Operations and Environment/Energy

OFFICE OF THE ASSISTANT SECRETARY FOR FAIR HOUSING AND EQUAL OPPORTUNITY

SES Deputy Assistant Secretary for Operations and Management
SES General Deputy Assistant Secretary for Fair Housing and Equal Opportunity
SES Deputy Assistant Secretary for Enforcement and Compliance

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY DEVELOPMENT AND RESEARCH

SES Deputy Assistant Secretary for Housing Studies
SES Deputy Assistant Secretary for Policy Development
SES Deputy Assistant Secretary for Economic Affairs
SES Deputy Assistant Secretary for Urban and Community Studies.

OFFICE OF THE GENERAL COUNSEL

SES Deputy General Counsel
SES Deputy General Counsel (Operations)

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

SES Deputy Assistant Secretary for Administration

OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL RELATIONS

SES Deputy Assistant Secretary for Legislation
SES Deputy Assistant Secretary for Congressional Relations

OFFICE OF THE INSPECTOR GENERAL

SES Deputy Inspector General

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

SES Vice President, (Mortgage Finance)
SES Vice President, (Mortgage Backed Securities)
SES Executive Vice President

FIELD OFFICES

Region I

SES Regional Administrator
SES Deputy Regional Administrator
SES Area Manager, Boston Area Office

Region II

SES Regional Administrator
SES Deputy Regional Administrator
SES Area Manager, New York Area Office
SES Area Manager, Newark Area Office

Region III

SES Regional Administrator
SES Deputy Regional Administrator
SES Area Manager, Philadelphia Area Office
SES Area Manager, Pittsburgh Area Office

Region IV

SES Regional Administrator
SES Deputy Regional Administrator
SES Area Manager, Atlanta Area Office
SES Area Manager, Jacksonville Area Office

Region V

SES Regional Administrator
SES Deputy Regional Administrator
SES Area Manager, Detroit Area Office
SES Area Manager, Chicago Area Office
SES Area Manager, Columbus Area Office
SES Area Manager, Minneapolis/St. Paul Area Office
SES Area Manager, Indianapolis Area Office

Region VI

SES Regional Administrator
SES Deputy Regional Administrator
SES Area Manager, Dallas Area Office
SES Area Manager, New Orleans Area Office
SES Area Manager, Oklahoma City Area Office

Region VII

SES Regional Administrator
SES Deputy Regional Administrator

Region VIII

SES Regional Administrator
SES Deputy Regional Administrator

Region IX

SES Regional Administrator
SES Deputy Regional Administrator
SES Area Manager, San Francisco Area Office
SES Area Manager, Los Angeles Area Office

Region X

SES Regional Administrator
SES Deputy Regional Administrator

AGENCY: DEPARTMENT OF THE INTERIOR

Positions:

Office of the Secretary

SES Assistant Inspector General—Auditing
SES Assistant Inspector General for Investigations
SES Director, Office of Small and Disadvantaged Business Utilization
SES Assistant to the Secretary and Director, Office of Congressional Relations
SES Executive Assistant to the Secretary
SES* Special Assistant to the Secretary
SES Assistant to the Secretary and Director of Public Affairs
SES Assistant to the Secretary (State and Federal Relations)
SES Director, Office of Youth Programs
SES Deputy Under Secretaries (2)
SES* Executive Assistant to the Under Secretary
SES Director, Office for Equal Opportunity
SES Legislative Counsel
SES Deputy Director—Senate
SES Deputy Director—House
SES Assistant Director—Federal Employment Programs
SES Assistant Director—Title VI
SES* Special Assistant Field Representative—San Francisco
SES* Director, Office of Historically Black College & University Programs

Minerals Management Service

SES* Director
SES* Deputy Director
SES* Special Assistant to the Director for Royalty Management
SES* Assistant to the Director for Offshore Rules & Regulations
SES Assistant Director for Administration
SES Assistant Director for Program Review
SES* Associate Director for Royalty Management
SES* Associate Director for Offshore Minerals

Office of Hearings and Appeals

SES Director, Office of Hearings and Appeals
SES Chairman, Board of Surface Mining and Reclamation Appeals
SES* Special Counsel (2)
GS-18 Chairman, Board of Contract Appeals
GS-17 Vice Chairman, Board of Contract Appeals

Office of Assistant Secretary—Territorial And International Affairs

GS-18 High Commissioner of the Trust Territory
SES Staff Assistant
SES Deputy Assistant Secretary

Office of the Solicitor

SES Deputy Solicitor (2)
SES Special Assistant to the Solicitor
SES Associate Solicitor—Audit and Inspection
SES Associate Solicitor—Energy Resources
SES Associate Solicitor—General Law
SES Associate Solicitor—Conservation and Wildlife
SES Associate Solicitor—Indian Affairs
SES Associate Solicitor—Surface Mining
SES Regional Solicitors (6)—Portland, Anchorage, Denver, Sacramento, Tulsa and Atlanta
SES* Regional Solicitor (Boston)

Office of the Assistant Secretary Fish, and Wildlife and Parks

SES Deputy Assistant Secretary
SES Staff Assistant to the Assistant Secretary
SES Special Assistant to the Assistant Secretary (Alaska)

National Park Service

SES Director
SES Deputy Director
SES Associate Directors (4)
SES Director, National Capital Region
SES Regional Directors (9)
SES* Assistant Director, Legislative and Congressional
SES Senior Scientist

Fish and Wildlife Service

SES Deputy Director
SES Associate Directors, Wildlife Resources
SES Associates Director, Environment
SES Associate Director for Research
SES Associate Director, Federal Assistance
SES Associate Director for Fisheries Resources
SES Regional Directors (7)
SES* Assistant Director of Administration
SES Assistant Director—Planning and Budget

Office of the Assistant Secretary—Energy and Minerals

SES Deputy Assistant Secretary—Regulations
SES Staff Assistant to the Assistant Secretary

Bureau of Mines

SES Deputy Director
SES Assistant Directors (6)
SES Chief Staff Officer

U.S. Geological Survey

SES Associate Director

SES Assistant Directors (6)

Office of Surface Mining

SES Deputy Director
SES Assistant Director for Program Operations and Inspection
SES Assistant Director for Technical Standards and Research
SES Assistant Director for Budget and Administration

Office of the Assistant Secretary Land and Water Resources (LWR)

SES Deputy Assistant Secretaries (LWR) (2)
SES Staff Assistant to the Assistant Secretary*
SES Staff Assistant—Economics

Bureau of Reclamation

SES Commissioner
SES Staff Assistant to the Commissioner
SES Assistant Commissioners (3)
SES Regional Directors (7)
SES Special Assistant to the Commissioner
SES* Special Assistant to the Commissioner for State Liaison
SES* Director, Administrative Services
SES* Chief, Office of Power

Bureau of Land Management

SES Associate Director
SES Assistant to the Director and Chief of Public Affairs
SES Assistant Directors (7)
SES Deputy Directors (3)
SES Director, Denver Service Center
SES Chief, Planning & Environmental Coordination
SES State Directors (12)

Office of Water Policy

SES Director
SES Assistant Director for Policy Analysis
SES Assistant Director for State Liaison

Office of the Assistant Secretary Policy, Budget and Administration

SES Deputy Assistant Secretaries (2)
SES* Special Assistants to the Assistant Secretaries (2)

Office of Acquisition and Property Management

SES Director
SES* Chief, Division of Acquisition and Grants
SES* Director, Office of Aircraft Services

Office of Information Resources Management

SES Director
SES Deputy Director

Office of Environmental Project Review

SES Director

Office of Administrative Services

SES Director

Office of Budget

SES Director
SES Deputy Director
SES* Chief, Division of Budget Operations (A)
SES* Chief, Division of Budget Review (B)

Office of Policy Analysis

SES Director
SES Deputy Director
SES Assistant Directors (3)

Office of Personnel

SES Director
SES Deputy Director

Office of Financial Management

SES Director
SES Deputy Director

Office of the Assistant Secretary Indian Affairs

SES Deputy Assistant Secretaries (2)

Bureau of Indian Affairs

SES Director, Indian Services
SES Director of Trust Responsibilities
SES Executive Management Officer
SES Director of Indian Education Programs
SES* Deputy Director of Indian Education Programs
SES* Assistant Director of Administration
SES* Deputy Director—Trust Responsibilities
SES Area Directors (12)

AGENCY: DEPARTMENT OF JUSTICE

Positions:

Office of the Attorney General

SES Counsel to the Attorney General
SES Special Counsel to the Attorney General

Office of the Deputy Attorney General

SES All Associate Deputy Attorneys General (4)

Office of the Associate Attorney General

SES All Deputy Associate Attorneys General (4)
SES * Special Counsel to Associate Attorney General (1)

Office of the Solicitor General

SES All Deputy Solicitors General (6)

Legal Divisions: Antitrust, Civil, Civil Rights, Criminal, Land and Natural Resources, and Tax

SES All Deputy Assistant Attorneys General in legal divisions (21)
SES* Special Counsel to the Asst. Attorney General, Tax Division
SES Director of Operations, Antitrust Division
SES Director, Economic Policy, Antitrust Division
SES Chief, Organized Crime and Racketeering Section, Criminal Division

Office of Legal Counsel

SES All Deputy Assistant Attorneys General (3)

Office of Legislative Affairs

No section 207(d)(1)(C) designations.

Justice Management Division

SES Assistant Attorney General for Administration
SES All Deputy Assistant Attorneys General (4)
SES Senior Management Counsel
SES Staff Directors (10)
SES Deputy Director, Audit Staff

Office of Public Affairs

SES Director

Board of Immigration Appeals

No section 207(d)(1)(C) designations.

Office of Pardon Attorney

No section 207(d)(1)(C) designations.

United States Parole Commission

GS–18 All Commissioners (4)
SES Executive Director

United States Marshals Service

SES Director
SES Deputy Director
SES Assistant Director for Operations
SES Assistant Director for Administration

United States Attorneys

SES All United States Attorneys (90)

Drug Enforcement Administration

GS–18 All Assistant Administrators (3)
GS–17 All Deputy Assistant Administrators (8)

Federal Bureau of Investigation

GS–18 Executive Assistant Directors (3)
GS–18 All Assistant Directors (11)
GS–17 All Inspectors/Deputy Assistant Directors (14)
GS–18 or GS–17 All Special Agents in Charge of Field Offices above (GS–16 (25)
GS–17 Special Assistant to the Director

Immigration and Naturalization Service

SES Deputy Commissioner
SES All Associate Commissioners (4)
SES All Regional Commissioners (4)
SES General Counsel
SES* Executive Associate Commissioner

Bureau of Prisons

SES Director
SES All Assistant Directors (2)
SES All Regional Directors (5)
SES Associate Commissioner for Prison Industries
SES Wardens (11)
SES Deputy Associate Commissioner/Secretary for Prison Industries
SES Deputy Associate Commissioner for Prison Industries
SES General Counsel
SES Director, National Institute of Corrections

Community Relations Service

Office of Justice Assistance, Research, and Statistics

SES Comptroller
SES General Counsel

National Institute of Justice

SES Assistant Director, Office of Development Testing and Dissemination
SES Assistant Director, Office of Research Programs

Office of Juvenile Justice and Delinquency Prevention

SES Deputy Administrator

Bureau of Justice Statistics

SES Deputy Director

Executive Office for United States Trustees

SES Director

Office of Legal Policy

SES Deputy Assistant Attorneys General (3)

Office of Intelligence Policy Review

SES Counsel for Intelligence Policy
SES Deputy Counsel for Intelligence Policy
SES Deputy Counsel for Intelligence Operations

Foreign Claims Settlement Commission

SES General Counsel

AGENCY: DEPARTMENT OF LABOR

Positions:

Office of the Inspector General (OIG)

SES Deputy Inspector General
SES Assistant Inspector General for Investigations
SES Assistant Inspector General for Audit
SES Deputy Assistant Inspector General for Audit
SES Assistant Inspector General for Resource Management and Legislative Assessment
Women's Bureau
GS–17 Director
SES Deputy Director

Office of the Assistant Secretary for Legislative Affairs

No Section 207(d)(1)(C).

Office of the Assistant Secretary for Administration and Management

SES Deputy Assistant Secretary
SES Director, Office of Procurement and Grants Management
SES Comptroller for the Department
SES Deputy Comptroller

Office of Administrative Law Judges (ALJ)

No Section 207(d)(1)(C) Designations.

Office of the Assistant Secretary for Labor-Management Relations (LMSA)

SES Deputy Assistant Secretary for Management and Services
SES Deputy Assistant Secretary for Program Operations
SES Administrator for Pension and Welfare Benefit Programs (PWBP)
SES Deputy Administrator for Pension and Welfare Benefit Programs (PWBP)
SES Director, Office of Labor-Management Standards Enforcement (LMSE)

Office of the Assistant Secretary for Occupational Safety and Health Administration (OSHA)

SES Deputy Assistant Secretary for Occupational Safety and Health Administration
SES Director, Policy Analysis, Integration and Evaluation
SES Director, Federal Compliance and State Programs
SES Director, Safety Standards Programs
SES Director, Health Standards Programs
SES Director, Technical Support, TECFAP

Office of the Assistant Secretary for Mine Safety and Health Administration (MSHA)

SES Deputy Assistant Secretary for Mine Safety and Health Administration
SES Administrator for Metal and Nonmetal Mine Safety and Health
SES Deputy Administrator for Metal and Nonmetal Mine Safety and Health
SES Administrator for Coal Mine Safety and Health
SES Deputy Administrator for Coal
SES Director of Technical Support
SES Director of Educational Policy and Development
SES Chief, Standards, Regulations and Variances

Office of the Deputy Under Secretary for Employment Standards Administration (ESA)

SES Deputy Under Secretary for Employment Standards
SES Associate Deputy Under Secretary for Employment Standards
SES Director, Office of Federal Contract Compliance Programs (OFCCP)
SES Deputy Director, OFCCP
SES Deputy Administrator, Wage and Hour Division (WH)
SES Director, Office of Workers' Compensation Programs (OWCP)
SES Deputy Director, OWCP for Operations

Bureau of Labor Statistics (BLS)

SES Deputy Commissioner for Administration and Internal Operations

Office of the Solicitor of Labor

SES Deputy Solicitor
SES Deputy Solicitor for Regional Operations

Office of the Assistant Secretary for Employment and Training Administration (ETA)

SES Associate Assistant Secretary, ETA
SES Administrator, Office of Strategic Planning and Policy Development (OSPPD)
SES Deputy Administrator, Office of Strategic Planning and Policy Development (OSPPD)
SES Director, Office of Research and Evaluation, OSPPD
SES Administrator, Office of Employment Security (OES)
SES Administrator, Office of Comprehensive Employment and Training (OCET)
SES Deputy Administrator, Office of Comprehensive Employment and Training (OCET)
SES Administrator, Office of Financial Control and Management Systems (OFCMS)

Office of the Deputy Under Secretary for International Labor Affairs (ILAB)

SES Deputy Under Secretary for International Affairs
SES Associate Deputy Under Secretary for International Labor Affairs

Office of the Assistant Secretary for Policy (ASP)

SES Deputy Assistant Secretary for Policy, Evaluation and Research
SES Deputy Assistant Secretary for Economic Policy and Research

National Commission for Employment Policy (NCEP)

GS–18 Director

President's Committee on Employment of the Handicapped (PCEH)

SES Executive Director
SES Deputy Executive Director

Office of the Assistant Secretary for Veterans' Employment

SES Deputy Assistant Secretary

AGENCY: DEPARTMENT OF STATE

Positions:

FEMC Executive Asst to Secretary, S
FEMC Office Director, S/P
FEMC Dpty Dir Policy Anal & Resour, S/P
FEMC Deputy Director for Planning, S/P
FEMC Exec Asst to Deputy Secretary, D
FEMC Office Director, M/CT
FEMC Dir of Management Operations, M/MO
FEMC Dep Dir of Mgmt Operations, M/MO
FEMC Dep Dir of Mgmt Operations, M/MO
FEMC Deputy Inspector General, S/IG
FEMC Deputy Inspector General, SIG
FEMC Director Political Military, PM/OD
FEMC United States Representative, PM/SALT
FEMC Deputy Director, PM/AS
FEMC Deputy Director, PM/RP
FEMC Medical Director, M/MED
FEMC Deputy Assistant Secretary, INM
FEMC Deputy Assistant Secretary, OES
FEMC Director, Refugee Programs, RP
FEMC Deputy Assistant Secretary, RP/IA
FEMC Deputy Assistant Secretary, RP/RE
FEMC Deputy Assistant Secretary, EB
FEMC Deputy Assistant Secretary, EB/TDC
FEMC Deputy Assistant Secretary, EB/IFD
FEMC Deputy Assistant Secretary, EB/ORF
FEMC Deputy Assistant Secretary, EB/IEP
FEMC Deputy Assistant Secretary, INR
FEMC Deputy Assistant Secretary, INR/C
FEMC Deputy Assistant Secretary, INR/AR
FEMC Deputy Assistant Secretary, H
FEMC Deputy Assistant Secretary, H
FEMC Deputy Assistant Secretary, PA
FEMC Deputy Assistant Secretary, ARA
FEMC Deputy Assistant Secretary, ARA
FEMC Dep US Representative, ARA/USOAS
FEMC Deputy Assistant Secretary, EUR
FEMC Deputy Assistant Secretary, EUR
FEMC Deputy Assistant Secretary, EUR
FEMC Deputy Assistant Secretary, EUR
FEMC Deputy Assistant Secretary, EA
FEMC Deputy Assistant Secretary, EA
FEMC Deputy Assistant Secretary, EA
FEMC Deputy Assistant Secretary, EA
FEMC United States Representative, EA/PIA
FEMC Deputy Assistant Secretary, NEA
FEMC Deputy Assistant Secretary, NEA
FEMC Deputy Assistant Secretary, NEA
FEMC Deputy Assistant Secretary, NEA
FEMC Deputy Assistant Secretary, NEA
FEMC Deputy Assistant Secretary, AF
FEMC Deputy Assistant Secretary, AF
FEMC Deputy Assistant Secretary, AF
FEMC Deputy Assistant Secretary, AF
FEMC Dep US Representative, USUN
FEMC Deputy Assistant Secretary, IO
FEMC Deputy Assistant Secretary, IO

FEMC Deputy Assistant Secretary, A/CDC
FEMC Director General, M/DGP
FEMC Director Assistant Secretary, DGP/PER
FEMC Deputy Assistant Secretary, DGP/PER
FEMC Deputy Assistant Secretary, A/OPR
FEMC Deputy Assistant Secretary, A/SY
FEMC Director Foreign Service Inst, M/FSI
FEMC Deputy Assistant Secretary, A/OC
FEMC Deputy Assistant Secretary, CA
FEMC Deputy Assistant Secretary, CA/PPT
FEMC Deputy Assistant Secretary, CA/OCS
FEMC Deputy Chief of Mission, Buen Aires
FEMC Deputy Chief of Mission, Brasilia
FEMC Principal Officer, Rio DE Jan
FEMC Principal Officer, Sao Paulo
FEMC Deputy Chief of Mission, Bogota
FEMC Principal Officer, Havana
FEMC Deputy Chief of Mission, Mexico, D.F
FEMC Deputy Chief of Mission, Panama
FEMC Deputy Chief of Mission, Lima
FEMC Deputy Chief of Mission, Caracas
FEMC Deputy Chief of Mission, Vienna
FEMC Dep US Representative, Unvie Vienna
FEMC United States Representative, Unvie Vienna
FEMC United States Representative, MBFR Vienna
FEMC Dep US Representative, MBFR Vienna
FEMC Deputy Chief of Mission, Brussels
FEMC Deputy Chief of Mission, Brussel-EC
FEMC Deputy Chief of Mission, Brussels NTO
FEMC United States Representative, Brussels NTO
FEMC Deputy Chief of Mission, Athens
FEMC United States Representative, Montreal
FEMC Deputy Chief of Mission, Ottawa
FEMC Principal Officer, Montreal
FEMC Principal Officer, Toronto
FEMC Deputy Chief of Mission, London
FEMC Deputy Chief of Mission, Paris
FEMC Deputy Chief of Mission, OECD Paris
FEMC United States Representative, OECD Paris
FEMC United States Representative, UNESCO PRS
FEMC Deputy Chief of Mission, Bonn
FEMC Principal Officer, Frankfurt
FEMC Principal Officer, Munich
FEMC Deputy Chief of Mission, Rome
FEMC Principal Officer, Milan
FEMC Principal Officer, Naples
FEMC Deputy Chief of Mission, Madrid
FEMC Deputy Chief of Mission, Stockholm
FEMC United States Representative (TNF), Geneva
FEMC Dep US Representative, US MIS GEN
FEMC United States Representative, US MIS GEN
FEMC International Economist, US MIS GEN
FEMC Deputy Chief of Mission, Ankra
FEMC Principal Officer, Istanbul
FEMC Deputy Chief of Mission, Moscow
FEMC Principal Officer, Hong Kong
FEMC Deputy Principal Officer, Hong Kong
FEMC Deputy Chief of Mission, Beijing
FEMC Deputy Chief Mission, Jakarta
FEMC Deputy Chief of Mission, Canberra
FEMC Principal Officer, Melborne
FEMC Principal Officer, Sydney
FEMC Deputy Chief of Mission, Tokyo
FEMC Deputy Chief of Mission, Seoul
FEMC Deputy Chief of Mission, Vientiane
FEMC Deputy Chief of Mission, Manila
FEMC Deputy Chief of Mission, Bangkok
FEMC Deputy Chief of Mission, Cairo
FEMC Deputy Chief of Mission, New Delhi
FEMC Principal Officer, Bombay
FEMC Deputy Chief of Mission, Tel Aviv
FEMC Principal Officer, Jerusalem
FEMC Deputy Chief of Mission, Beirut
FEMC Deputy Chief of Mission, Islamabad
FEMC Principal Officer, Karachi
FEMC Deputy Chief of Mission, Jidda
FEMC Deputy Chief of Mission, Kinshasa
FEMC Deputy Chief of Mission, Nairobi
FEMC Deputy Chief of Mission, Lagos
SROO US Representative, ARA/USOAS
ADOO Dep US Representative, USUN
ADOO United States Representative
AD07 US Representative, USUN
ADOO United States Representative, USUN
ADOO US Representative, USUN
SROO Commissioner Intl Joint Comm, IJC
ADOO Commissioner, IJC
EC 15 Commissioner Intl Joint Comm, IJC

AGENCY: DEPARTMENT OF TRANSPORTATION

Positions:

Office of the Secretary of Transportation

SES Deputy General Counsel
SES Deputy Assistant Secretary for Planning and Policy Analysis
SES Deputy Assistant Secretary for Policy and Program Development
SES Deputy Assistant Secretary for Budget and Programs
SES Deputy Assistant Secretary for Governmental Affairs
SES Assistant Secretary for Administration
SES Deputy Assistant Secretary for Administration
SES Director, Office of Civil Rights

Office of the Inspector General

SES Assistant Inspector General for Auditing, Office of the Secretary
SES* Deputy Assistant Inspector General for Auditing
SES* Director, Office of Surface Transportation Programs, Office of the Assistant Inspector General for Auditing
SES* Director, Office Aviation, Marine and Research Programs, Office of the Inspector General for Auditing
SES Director, Office of DOT-Wide Programs, Office of the Secretary
SES Assistant Inspector General for Investigations, Office of the Secretary
SES Assistant Inspector General for Policy, Planning and Resources, Office of the Secretary

United States Coast Guard

0-7/0-8 Chief Counsel (Rear Admiral)
SES Deputy Chief Counsel
0-7/0-8 Chief of Staff (Rear Admiral)
0-7/0-8 Chief, Office of Boating, Public and Consumer Affairs (Rear Admiral)
0-7/0-8 Comptroller (Rear Admiral)
0-7/0-8 Chief, Office of Engineering (Rear Admiral)
0-7/0-8 Chief, Office of Marine Environment and Systems (Rear Admiral)
0-7/0-8 Chief, Office of Merchant Marine Safety (Rear Admiral)
0-7/0-8 Chief, Office of Navigation (Rear Admiral)
0-7/0-8 Chief, Office of Command, Control and Communication (Rear Admiral)
0-7/0-8 Chief, Office of Operations (Rear Admiral)
0-7/0-8 Chief, Office of Research and Development (Rear Admiral)
0-7/0-8 District Commanders (Rear Admirals) (10)

Federal Aviation Administration

SES Associate Administrator for Administration
SES Deputy Associate Administrator for Administration
SES Associate Administrator for Airports
SES* Associate Administrator for Development and Logistics
SES* Deputy Associate Administrators for Development and Logistics (2)
SES Associate Administrator for Aviation Standards
SES Deputy Associate Administrator for Aviation Standards
SES Associate Administrator for Policy and International Aviation
SES Federal Air Surgeon
SES Deputy Federal Air Surgeon
SES Chief Counsel
SES Deputy Chief Counsel
SES Director, Eastern Region (New York)
SES Deputy Director, Eastern Region (New York)
SES Director, New England Region (Boston)
SES Deputy Director, New England Region (Boston)
SES Director, Southern Region (Atlanta)
SES Deputy Director, Southern Region (Atlanta)
SES Director, Southwest Region (Fort Worth)
SES Deputy Director, Southwest Region (Fort Worth)
SES Director, Central Region (Kansas City)
SES Deputy Director, Central Region (Kansas City)
SES Director, Great Lakes Region (Chicago)
SES Deputy Director, Great Lakes Region (Chicago)
SES Director, Western-Pacific Region (Los Angeles)
SES Deputy Director, Western-Pacific Region (Los Angeles)
SES Director, Northwest Mountain Region (Seattle)
SES Deputy Director, Northwest Mountain Region (Seattle)
SES Director, Alaska Region (Anchorage)
SES Deputy Director, Alaska Region (Anchorage)
SES Director, Europe-Africa-Middle East Office

Federal Highway Administration

SES Deputy Administrator
SES Associate Administrator for Planning and Policy Development
SES Associate Administrator for Research Development and Technology
SES Associate Administrator for Right-Of-Way and Environment
SES Associate Administrator for Engineering and Operations

SES Associate Administrator for Safety, Traffic Engineering and Motor Carriers
SES Associate Administrator for Administration
SES Chief Counsel
SES Regional Federal Highway Administrators (9)
SES Deputy Administrator
SES Executive Director

Federal Railroad Administration

SES Deputy Administrator
SES Associate Administrator for Administration
SES Chief Counsel
SES Associate Administrator for Federal Assistance
SES Deputy Associate Administrator for Federal Assistance
SES Associate Administrator for Intercity Programs
SES Deputy Associate Administrator for Intercity Programs
SES Associate Administrator for Research and Development
SES Associate Administrator for Policy
SES Associate Administrator for Safety
SES Deputy Associate Administrator for Safety
SES General Manager, Alaska Railroad
SES* Attorney-Advisor

National Highway Traffic Safety Administration

SES Deputy Administrator
SES Chief Counsel
SES Associate Administrator for Rulemaking
SES Deputy Associate Administrator for Rulemaking
SES Associate Administrator for Plans and Programs
SES Associate Administrator for Traffic Safety Programs
SES* Deputy Associate Administrator for Traffic Safety Programs
SES Associate Administrator for Research and Development
SES Associate Administrator for Enforcement
SES Associate Administrator for Administration

Urban Mass Transportation Administration

SES Deputy Administrator
SES Executive Director
SES Associate Administrator for Administration
SES Chief Counsel
SES Director, Office of Financial Management
SES Associate Administrator for Technical Assistance
SES Associate Administrator for Budget and Policy
SES Associate Administrator for Grants Management

Saint Lawrence Seaway Development Corporation

SES General Counsel
SES Associate Administrator and Resident Manager

Research and Special Programs Administration

SES Administrator
SES Chief Counsel
SES Director, Materials Trasnportation Bureau
SES Director, Transportation Systems Center
SES Deputy Director, Transportation Systems Center

Maritime Admininstrator

SES Deputy Administrator
SES Deputy Admistrator for Inland Waterways and Great Lakes
SES Chief Counsel
SES Deputy Chief Counsel
SES Associate Administrator for Policy and Administration
SES Associate Administrator for Maritime Aids
SES Deputy Associate Administrator for Maritime Aids (Trade), Office of the Associate Administrator for Maritime Aids
SES Deputy Associate Administrator for Maritime Aids (Finance), Office of the Associate Administrator for Maritime Aids
SES Associate Administrator for Shipbuilding and Ship Operations
SES Director, Office of Ship Construction, Office of the Associate Administrator for Shipbuilding and Ship Operations
SES Director, Office of Shipbuilding Costs, Office of the Associate Administrator for Shipbuilding and Ship Operations
SES Director, Office of Ship Operations, Office of the Associate Administrator for Shipbuilding and Ship Operations
SES Associate Administrator for Marketing and Domestic Enterprise
SES Associate Administrator for Research and Development
SES Superintendent, Merchant Marine Academy

AGENCY: DEPARTMENT OF THE TREASURY

Positions:

Office of the Secretary

SES Inspector General

Office of the Assistant Secretary for Domestic Finance

SES Deputy Assistant Secretary, Debt Management
SES Deputy Assistant Secretary, Financial Institutions and Capital Markets Policy
SES Deputy Assistant Secretary, State and Local Finance
SES Deputy Assistant Secretary, Federal Finance
SES Director, Office of Government Financing

Office of the Assistant Secretary for International Monetary Affairs

SES Deputy Assistant Secretary for International Monetary Affair
SES Deputy Assistant Secretary for Developing Nations Finance
SES Deputy Assistant Secretary, Trade and Investment Policy
SES Deputy Assistant Secretary, Commodities and Natural Resources

Office of the Assistant Secretary for Tax Policy

SES Deputy Assistant Secretary, Tax Policy
SES Deputy Assistant Secretary, Tax Policy and Director, Office of Tax Analysis

Office of the Fiscal Assistant Secretary

SES Assistant Secretary

Office of the Assistant Secretary for Electronic Systems and Information Technology

SES* Assistant Secretary

Office of the Assistant Secretary for Consumer Liaison and Business Affairs

SES Assistant Secretary

Office of the Assistant Secretary for Administration

SES Assistant Secretary

Treasurer of the United States

GS-18 Treasurer and National Savings Bond Director, Office of the Secretary
SES* Deputy Director

Office of Revenue Sharing

SES Director

Comptroller of the Currency

SES Chief National Bank Examiner
SES Deputy Comptroller, Special Surveillance
SES Deputy Comptroller, Multinational Banking
SES Deputy Comproller, Planning and Economic Analysis
SES Senior Advisor to the Comptroller
SES Deputy Comptroller, Bank Organization and Structure
SES Deputy Comptroller, Industry and Public Affairs
SES Senior Comptroller for National Operations
SES Senior Deputy Comptroller for Policy and Planning
SES Senior Deputy Comptroller for Bank Supervision
SES Chief Counsel, Comptroller of the Currency
SES Deputy Chief Counsel, Comptroller of the Currency
SES Senior Deputy Comptroller for Resource Management

Customs Service

SES Commissioner
SES Deputy Commissioner
SES Deputy Commissioner, International Affairs
SES Assistant Commissioner, Enforcement
SES Deputy Assistant Commissioner, Enforcement
SES Director, Office of Investigations
SES Assistant Commissioner, Commercial Operations
SES Deputy Assistant Commissioner, Inspection
SES Assistant Commissioner, Inspection
SES Comptroller

Bureau of Government Financial Operations

SES Commissioner
SES Deputy Commissioner

Internal Revenue Service

SES Deputy Commissioner

SES Associate Commissioner (Data Processing)
SES Associate Commissioner (Operations)
SES Associate Commissioner (Policy and Management)
SES Assistant Commissioner, (Inspection)
SES Regional Commissioner, (C)
SES Regional Commissioner, (MA)
SES Regional Commissioner, (MW)
SES Regional Commissioner, (NA)
SES Regional Commissioner, (SE)
SES Regional Commissioner, (SW)
SES Regional Commissioner, (W)

Legal Division

SES Deputy General Counsel, Office of the General Counsel
SES Assistant General Counsel and Director, Tax Legislative Counsel, Office of the General Counsel
SES International Tax Counsel and Director, Office of International Tax Counsel, Office of the General Counsel
SES Chief Counsel, Customs Department
SES Deputy Chief Counsel, Customs Department
SES Chief Counsel, Comptroller of the Currency
SES Deputy Chief Counsel, Comptroller of the Currency
SES Chief Counsel, Bureau of Alcohol, Tobacco and Firearms
SES Deputy Chief Counsel, Bureau of Alcohol, Tobacco and Firearms
SES* Deputy Chief Counsel, Internal Revenue Service

Bureau of the Mint

GS–18 Director
SES Deputy Director of the Mint
SES Assistant Director (Production)
SES Assistant Director for Technology

U.S. Savings Bonds Division

No Section 207(d)(1)(C) Designations.

U.S. Secret Service

SES Director
SES Deputy Director

Bureau of Alcohol, Tobacco and Firearms

SES Director
SES Deputy Director
SES Assistant Director, Regulatory Enforcement
SES Assistant Director, Criminal Enforcement
SES Assistant Director, Internal Affairs

Bureau of Public Debt

SES Commissioner of Public Debt

OFFICE OF REVENUE SHARING

SES Director

FEDERAL LAW ENFORCEMENT TRAINING CENTER

NO SECTION 207(d)(1)(C).

BUREAU OF ENGRAVING AND PRINTING

SES Director
SES Deputy Director
SES Assistant Director (Administration)
SES Assistant Director (Operations)
SES Assistant Director (Research and Engineering)

TREASURER OF THE UNITED STATES

GS–18 Treasurer and National Savings Bond Director, Office of the Secretary

AGENCY: ACTION

Positions:

SES Executive Officer
SES Deputy Associate Director for Domestic and Anti-Poverty Operations
SES Executive Assistant for Programs
SES Deputy Associate Director for Older Americans Volunteer Program (OAVP)
SES Assistant Director for Administration
SES Deputy Assistant Director for Administration
SES General Counsel
SES Deputy Assistant Director for Volunteer Liaison
SES Assistant Director for Financial Affairs
SES Deputy Associate Director for VISTA/Service Learning Programs
SES Assistant Director for Policy and Planning
SES Director, Vietnam Veterans Leadership Program
SES Inspector General
SES Executive Assistant

AGENCY: ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Positions:

SES General Counsel
SES Executive Director
SES Research Director

AGENCY: ADVISORY COUNCIL ON HISTORIC PRESERVATION

Positions:

SES Executive Director
SES General Counsel

AGENCY: AMERICAN BATTLE MONUMENTS COMMISSION

Positions:

0–8 Secretary

AGENCY: BOARD FOR INTERNATIONAL BROADCASTING

Positions:

SES Executive Director
SES Director of Engineering

AGENCY: CENTRAL INTELLIGENCE AGENCY

Positions:

AD Executive Director
AD All Deputy Directors and Associate Deputy Directors of Directorates
AD All Heads of Independent Offices

AGENCY: CIVIL AERONAUTICS BOARD

Positions:

SES Managing Director, Office of Managing Director
SES Director, Office of Congressional, Community & Consumer Affairs
SES Director, Bureau of Domestic Aviation
SES Deputy Director/Associate Director, Legal Bureau of Domestic Aviation
SES General Counsel, Office of the General Counsel
SES Deputy General Counsel, Office of the General Counsel
SES Deputy Director, Bureau of International Aviation

AGENCY: COMMISSION ON CIVIL RIGHTS

Positions:

SES Solicitor
SES Assistant Staff Director for Regional Programs
SES Assistant Staff Director for Administration
SES Assistant Staff Director for Program Planning and Evaluation
SES Acting Assistant Staff Director for Program and Policy Review
SES Assistant Staff Director for Civil Rights Evaluation
SES Assistant Staff Director for Congressional and Public Affairs
SES Deputy Staff Director
SES General Counsel

AGENCY: COMMISSION OF FINE ARTS

Positions: No section 207(d)(1)(C) designations.

AGENCY: COMMODITY FUTURES TRADING COMMISSION

Positions:

SES Executive Director
SES Deputy Executive Director (1)
SES Director, Division of Enforcement
SES Deputy Director, Division of Enforcement (2)
SES Chief Economist, Division of Economics and Education
SES Deputy Chief Economist, Division of Economics and Education (2)
SES Director, Division of Trading and Markets
SES Deputy Director, Division of Trading and Markets (2)
SES Deputy General Counsel, Office of General Counsel (3)
SES Supervisory Economist, Division of Economics and Education
SES General Counsel
SES* Associate General Counsel for Opinions and Review, Office of General Counsel

AGENCY: CONSUMER PRODUCT SAFETY COMMISSION

Positions:

SES General Counsel
SES Deputy General Counsel
SES Executive Director
SES Deputy Executive Director
SES Associate Executive Director for Engineering Sciences
SES Associate Executive Director for Administration
SES Associate Executive Director for Compliance and Administrative Litigation
SES Associate Executive Director for Health Sciences
SES Associate Executive Director for Epidemiology

SES Director, Office of Program Management
SES Director, Office of Budget, Program Planning and Evaluation
SES Senior Staff Officer

AGENCY: COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Positions: No section 207(d)(1)(C) designations.

AGENCY: DISTRICT OF COLUMBIA GOVERNMENT

Positions:

AD Superintendent of Schools
AD President, University of the District of Columbia
AD General Manager, Convention Center

AGENCY: ENVIRONMENTAL PROTECTION AGENCY

Positions:

SES Regional Administrator, Region I, Boston
SES Regional Administrator, Region II, New York
SES Regional Administrator, Region III, Philadelphia
SES Regional Administrator, Region IV, Atlanta
SES Regional Administrator, Region V, Chicago
SES Regional Administrator, Region VI, Dallas
SES Regional Administrator, Region VII, Kansas City
SES Regional Administrator, Region VIII, Denver
SES Regional Administrator, Region IX, San Francisco
SES Regional Administrator, Region X, Seattle
SES Associate Assistant Administrator for Program Management and Policy, OA
SES Associate Administrator for Policy for Resource Management, OPRM
SES Director, Office of Water Enforcement, Water
SES Director, Office of Radiation Programs, OANR
SES Director, Office of Water Program Operations, Water
SES Director, Office of Water Regulations and Standards, Water
SES Director, Office of Solid Waste, SWER
SES Director, Office of Drinking Water, Water
SES Director, Office of Pesticides Programs, OPTS
SES Director, Office of Monitoring Systems and Quality Assurance, ORD
SES Director, Office of Health Research, ORD
SES Director, Office of Environmental Processes and Effects Research, ORD
SES Director, Office of Environmental Engineering and Technology, ORD
SES Director, Office of Toxic Substances, OPTS
SES General Counsel, OLEC
SES Deputy General Counsel, OLEC
SES Chief of Staff, ADM
SES Director, Office of Federal Activities, ADM
SES Director, Office of Legislation, ADM
SES Director, Office of Health and Environmental Assessment, ORD
SES Deputy Associate Administrator for Policy and Resource Management, OPRM
SES Director, Office of Mobile Sources, OANR
SES Director, Office of Emergency and Remedial Response, SWER
SES Deputy Inspector General for Auditing, ADM
SES* Deputy Inspector General, ADM
SES Assistant Inspector General for Investigations, ADM

AGENCY: EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Positions:

SES Deputy General Counsel
SES Associate General Counsel for Trial Services
SES* Legal Counsel
SES Director, Office of Program Operations

AGENCY: EXPORT-IMPORT BANK OF THE UNITED STATES

Positions:

GS–18 General Counsel
GS–17 Deputy General Counsel
GS–17 Senior Vice President, Exporter Credits, Guarantees and Insurance
GS–17 Senior Vice President, Direct Credits and Financial Guarantees

AGENCY: FARM CREDIT ADMINISTRATION

Positions:

SES Senior Deputy Governor
SES Chief of Staff to the Senior Deputy Governor
SES General Counsel
SES Deputy Governor, Office of Supervision
SES Associate Deputy Governor, Office of Supervison
SES Assistant Deputy Governor, Office of Supervision
SES Deputy Governor and Chief Examiner
SES Associate Deputy Governor, Office of Examination
SES Deputy Governor, Office of Administration
SES Director, Administrative Division
SES Director, Congressional and Public Affairs Division
GS–18 Members of the Federal Farm Credit Board (13)

AGENCY: FEDERAL COMMUNICATIONS COMMISSION

Positions:

SES Managing Director
SES General Counsel
SES Chief Scientist
SES* Chief, Mass Media Bureau
SES Chief, Common Carrier Bureau
SES Chief, Private Radio Bureau
SES Chief, Field Operations Bureau
SES Chief, Office of Plans and Policy
SES Deputy Managing Director
SES Deputy General Counsel
SES* Deputy Chief Scientist (Policy)
SES* Deputy Chief, Scientist (Technology)
SES* Deputy Chief, Mass Media Bureau (Operations)
SES* Deputy Chief, Mass Media Bureau (Policy)
SES* Deputy Chief, Common Carrier Bureau (Policy)
SES Deputy Chief, Common Carrier Bureau (Operations)
SES Deputy Chief, Private Radio Bureau
SES Deputy Chief, Field Operations Bureau
SES Associate Bureau Chief for Policy, Private Radio Bureau

AGENCY: FEDERAL DEPOSIT INSURANCE CORPORATION

Positions:

AD–18 Deputy to the Chairman—Administration
AD–18 Deputy to the Chairman
AD–18 Deputy to the Director (Apppointive)
AD–18 General Counsel
AD–18 Director, Division of Bank Supervision
AD–18 Director, Division of Liquidation
AD–18 Director, Division of Research and Strategic Planning
AD–18 Director, Division of Accounting and Corporate Services
AD–17 Associate Director, Division of Bank Supervision, Administration and Corporate Applications
AD–17 Deputy General Counsel, Open Bank Regulation and Supervision, Legal Division
AD–17 Deputy General Counsel, Closed Bank Litigation and Liquidation, Legal Division
AD–17 Associate Director, Division of Bank Supervision, Enforcement and Surveillance
AD–17 Associate Director, Division of Bank Supervision, Planning and Program Development
AD–17 Deputy Director, Regional Offices Coordination, Division of Bank Supervision
AD–17 Regional Director, Atlanta Region, Division of Bank Supervision
AD–17 Regional Director, Boston Region, Division of Bank Supervision
AD–17 Regional Director, Chicago Region, Division of Bank Supervision
AD–16 (17) Regional Director, Columbus Region, Division of Bank Supervision
AD–17 Regional Director, Dallas Region, Division of Bank Supervision
AD–16 (17) Regional Director, Kansas City Region, Division of Bank Supervision
AD–16(17) Regional Director, Madison Region, Division of Bank Supervision
AD–16(17) Regional Director, Memphis Region, Division of Bank Supervision
AD–16(17) Regional Director, Minneapolis Region, Division of Bank Supervision
AD–17 Regional Director, New York Region, Division of Bank Supervision
AD–16(17) Regional Director, Omaha Region, Division of Bank Supervision
AD–16(17) Regional Director, Philadelphia Region, Division of Bank Supervision
AD–17 Regional Director, San Francisco Region, Division of Bank Supervision
AD–17* Assistant Director, Division of Accounting and Corporate Services, Fiscal and Facilities Management
AD–17 Assistant Director, Division of Accounting and Corporate Services, Management Information Services
AD–16–17* Associate Director, Division of Liquidation (Operations)

AD–17* Associate Director, Division of Liquidation (Credit)
AD–16–17* Associate Director, Division of Liquidation (Administration)
AD–17* Assistant Director, Division of Accounting and Corporate Services
AD–16–(17)* Director (Liquidation), Southeast Area Liquidation Office, Division of Liquidation
AD–16–17* Director (Liquidation), Southwest Area Liquidation Office, Division of Liqudiation
AD–16–17* Director (Liquidation), Northeast Area Liquidation Office, Division of Liquidation
AD–15–17* Director (Liquidation), Western Area Lequidation Office, Division of Liquidation
AD–17* Director (Liquidation), Midwest Area Liquidation Office, Division of Liquidation

Agency: Federal Election Commission

Positions:

GS–17 Deputy General Counsel

AGENCY: FEDERAL EMERGENCY MANAGEMENT AGENCY

Positions:

SES* Regional Director, FEMA, Region I, Boston, Massachusetts
SES* Regional Director, FEMA, Region II, New York, New York
SES* Regional Director, FEMA, Region III, Philadelphia, Pennsyslvania
SES* Regional Director, FEMA, Region IV, Atlanta, Georia
SES* Regional Director, FEMA, Region V, Chicago, Illinois
SES* Regional Director, FEMA, Region VI, Denton, Texas
SES* Regional Director, FEMA, Region VII, Kansas City, Missouri
SES* Regional Director, FEMA, Region VIII, Denver, Colorado
SES* Regional Director, FEMA, Region IX, San Francisco, California
SES* Regional Director, FEMA, Region X, Bothell, Washington
SES* Assistant for Special Plans
SES* Deputy Executive Secretary (EMPB)

Office of Executive Administration

SES Director, Public Affairs
SES Executive Deputy Director
SES General Counsel
SES Inspector General
SES Director of Personnel

Federal Insurance Administration

SES* Deputy Administrator

Resource Management and Administration Directorate

SES* Deputy Associate Director
SES Comptroller
SES Director of Personnel

Training and Education

SES Superintendent of National Fire Academy
SES Superintendent, Emergency Management Institute

National Preparedness Programs Directorate

SES Deputy Associate Director
SES Assistant Associate for Resources Preparedness
SES Assistant Associate for Government Preparedness
SES Assistant Associate for Mobilization Preparedness

State and Local Programs and Support Directorate

SES Deputy Associate Director

State and Local Programs and Support Directorate

SES Assistant Associate Director, Natural & Technological Hazards
SES Assistant Associate Director, Emergency Management Programs
SES Assistant Associate Director, Disaster Assistance Programs
SES Assistant Associate Director, Emergency Operations and Coordination

AGENCY: FEDERAL ENERGY REGULATORY COMMISSION

Positions:

SES Executive Director, Office of the Executive Director
SES Deputy Executive Director, Office of the Executive Director
SES Director, Office of Electric Power Regulation
SES Deputy Director, Office of Electric Power Regulation
SES Director, Office of Pipeline and Producer Regulation
SES Deputy Director, Office of Pipeline and Producer Regulation
SES General Counsel, Office of General Counsel
SES Deputy General Counsel, Office of General Counsel
SES Director, Office of Regulatory Analysis
SES Deputy Director, Office of Regulatory Analysis
SES Chief Accountant, Office of Chief Accountant
SES Deputy Chief Accountant, Office of Chief Accountant
SES Director, Office of Opinions and Review
SES Deputy Director, Office of Opinions and Review

AGENCY: FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

Positions:

GS–18 Executive Secretary

AGENCY: FEDERAL HOME LOAN BANK BOARD

Positions:

SES General Counsel
SES Director, Office of District Banks
SES Director, Office of Policy and Economic Research
SES Director, Federal Savings and Loan Insurance Corporation
SES Executive Staff Director
SES Director, Office of Examinations and Supervision
SES Director, Internal Evaluation and Compliance Office

AGENCY: FEDERAL HOME LOAN MORTGAGE CORPORATION

Positions:

AD President—Chief Executive Officer
AD Executive Vice President—Chief Financial Officer
AD* Executive Vice President—Policy, Planning and Economic Research
AD* Executive Vice President—Market and Mortgage Operations
AD* Senior Vice President—Corporate Information Resources
AD* Senior Vice President—Public Affairs
AD* Senior Vice President—Regional Operations
AD Vice President and General Counsel
AD* Vice President—Controller
AD* Treasurer

AGENCY: FEDERAL INSPECTOR FOR THE ALASKA NATURAL GAS TRANSPORTATION SYSTEM

Positions:

SES Deputy Federal Inspector (Washington)
SES Deputy Federal Inspector (Alaska)
SES General Counsel
SES Director, External Affairs
SES Director, Environment
SES Director, Engineering
SES Director, Cost Control and Audit
SES Director of Administration
SES Deputy Director for Administration
SES Director, Construction
SES Deputy Director, Construction (North)
SES Deputy Director, Construction (South)

AGENCY: FEDERAL LABOR RELATIONS AUTHORITY

Positions:

GS–18 Chairman, Federal Service Impasses Panel
GS–18 Members of the Federal Service Impasses Panel (6)
GS–17 Chief Judge, Office of Administrative Law Judges
SES Executive Director of the Authority
SES Executive Director Federal Service Impasses Panel
SES Deputy Executive Director of the Authority
SES Solicitor
SES Chief Counsel, of the Authority
SES Assistant Chief Counsel for Operations and Arbitration
SES Assistant Chief Counsel for Negotiability
SES Assistant Chief Counsel, Representation & Unfair Labor Practices
SES Deputy General Counsel
SES Assistant General Counsel (Field Management) (2)
SES Assistant General Counsel for Appeals
SES Regional Director, Boston
SES Regional Director, New York
SES Regional Director, Washington
SES Regional Director, Atlanta
SES Regional Director, Chicago
SES Regional Director, Dallas
SES Regional Director, Denver
SES Regional Director, Los Angeles
SES Regional Director, San Francisco

AGENCY: FEDERAL MARITIME COMMISSION

Positions:

SES General Counsel
SES Managing Director
SES Director, Bureau of Tariffs
SES Director, Bureau of Agreements and Trade Monitoring
SES Deputy General Counsel
SES Director, Bureau of Hearing Counsel
SES Director, Bureau of Certification and Licensing
SES Secretary
SES Director of Programs
SES Director, Office of Policy Planning and International Affairs
SES* Director, Bureau of Investigations

AGENCY: FEDERAL MEDIATION AND CONCILIATION SERVICE

Positions:

SES** Deputy Director
SES Director of Mediation Services
SES Executive Director
SES Regional Directors(4)

AGENCY: FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Positions:

SES Executive Director
SES General Counsel

AGENY: FEDERAL RESERVE SYSTEM

Positions:

FRO–I Staff Director for Monetary and Financial Policy
FRO–I Staff Director for Federal Reserve Bank Activities
FRO–I Staff Director for Management
FRO–I General Counsel
FRO–I Director, Division of Research and Statistics
FRO–I Director, Division of International Finance
FRO–I Director, Division of Banking Supervision and Regulation
FRO–II Secretary of the Board
FRO–II Director, Division of Federal Reserve Bank Operations
FRO–II Director, Division of Consumer and Community Affairs
FRO–II Director, Division of Personnel
FRO–II Dircetor, Division of Data Processing
FRO–II Assistant to the Board (for Public Affairs)
FRO–II Assistant to the Board (for Congressional Liaison)
FRO–II Deputy Staff Director (for Monetary and Financial Policy)
FRO–II Deputy Director, Division of Research and Statistics
FRO–II Deputy Director, Division of Data Processing
FRO–II Associate Director, Division of Research and Statistics
FRO–II Associate Director, Division of Banking Supervision and Regulation
FRO–III Associate Director Division of Research and Statistics
FRO–II* Deputy Associate Director, Division of Research and Statistics
FRO–III* Associate Director, Division of International Finance
FRO–III* Associate Director, Division of International Finance
FRO–III* Associate General Counsel
FRO–III* Associate General Counsel
FRO–III* Assistant to the Board (for Monetary and Financial Policy)

AGENCY: FEDERAL TRADE COMMISSION

Positions:

SES General Counsel
SES Deputy General Counsel
SES Director, Bureau of Competition
SES Deputy Directors, Bureau of Competition
SES Director, Bureau of Consumer Protection
SES Deputy Directors, Bureau of Consumer Protection
SES Director, Bureau of Economics
SES Deputy Directors, Bureau of Economics
SES Executive Director
SES Executive Assistant to the Chairman
SES* Director, Office of Congressional Relations

AGENCY: GENERAL ACCOUNTING OFFICE

Positions:

SES Director, Program Analysis Division (PAD)
SES Deputy Director (PAD)
SES Deputy Director, for Planning and Reporting (RCED)
SES Director, Resources, Community and Economic Development Division (RCED)
SES Deputy Director, for Operations (RCED)
SES Director, Federal Personnel and Compensation Division (FPCD)
SES Deputy Director, FPCD
SES Deputy Director, FOD
SES Director, Accounting and Financial Management Division (AFMD)
SES Deputy Director (AFMD)
SES Director, General Government Division (GGD)
SES Deputy Director, GGD
SES Director, International Division (ID)
SES Deputy Director, ID
SES Director, Procurement, Logistics and Readiness Division (PLRD)
SES Deputy Director, PLRD
SES Director, Missions Analysis and Systems Acquisitions Division (MASAD)
SES Deputy Director, MASAD
SES Director, Human Resources Division
SES Deputy General Counsel
SES Director, Office of Internal Review
SES Director, Office of Policy
SES Director of Personnel
SES Director, General Services and Controller
SES Deputy Director of Personnel
SES Deputy Director, General Services and Controller
SES Director, Office of Organization and Human Development
SES Director, Institute for Program Evaluation
SES Deputy Director, Institute for Program Evaluation
SES Director, Civil Rights Office
SES General Counsel
SES Assistant Comptroller General for Program Evaluation
SES* Assistant Comptroller General for Planning and Reporting
SES* Assistant Comptroller General for Operations
SES* Assistant Comptroller General for Human Resources
SES* Director, Office of Quality Assurance

AGENCY: GENERAL SERVICES ADMINISTRATION

Positions:

Office of the Administrator

SES Deputy Administrator
SES Associate Administrator for Administration
SES Associate Administrator for Operations
SES Deputy Associate Administrator for Operations
SES* Director of Program Operations
SES Associate Administrator for Policy and Management
SES Deputy Associate Administrator for Policy and Management
SES Director, Office of Small and Disadvantaged Business Utilization

Information Security Oversight Office

SES* Director of Information Security Oversight

Office of Acquisition Policy

SES Assistant Administrator for Acquisition Policy
SES Deputy Assistant Administrator for Acquisition Policy
SES* Director of Acquisition Management and Contract Clearance

Office of Plans, Programs, and Financial Management

SES Assistant Administrator for Plans, Programs, and Financial Management
SES Director of Finance
SES Director of Budget
SES* Director of Transportation Audits

Office of Information Resources Management (OIRM)

SES Assistant Administrator for Information Resources Management
SES* Deputy Assistant Administrator for Information Resources Management
SES* Deputy Assistant Administrator for Central Information Services
SES Director of Information Resources Management Policy
SES Director of Information Resources Procurement
SES Director of Network Services
SES Executive Director
SES* Director of of Regional Information Services
SES Director, Advanced Planning
SES Director of GSA Information Systems
SES Director of Office of Information Systems
SES* Director of Systems and Technology Assessment

Federal Property Resources Service (FPRS)

SES Commissioner, Federal Property Resources Service
SES* Executive Director, Property Review Board
SES Assistant Commissioner for Real Property
SES Assistant Commissioner, Office of Stockpile Management
SES Assistant Commissioner, Office of Stockpile Transactions

Office of Federal Supply and Services (FSS)

SES Assistant Administrator for Federal Supply and Services
SES* Deputy Assistant Administrator for Federal Supply and Services
SES Director of Management
SES Assistant Commissioner for Planning, Analysis and Data Systems
SES* Director of Policy and Agency Assistance
SES* Director of Procurement
SES* Director of Contract Management
SES Director of Property Management
SES Director of Transportation

National Archives and Records Service (NARS)

SES Archivist of the United States
SES Deputy Archivist of the United States
SES Associate Archivist for Management

Public Buildings Service (PBS)

SES Commissioner, PBS
SES* Deputy Commissioner for Real Estate
SES* Deputy Commissioner for Real Property Operations
SES Assistant Commissioner for Buildings Management
SES Assistant Commissioner for Federal Protective Service
SES Deputy Commissioner for Policy and Program Support
SES Assistant Commissioner of Public Utilities

Office of General Counsel (OGC)

SES General Counsel
SES Deputy General Counsel

GSA Board of Contract Appeals

GS–18 Chairman and Chief Administrative Judge of Board of Contract Appeals
GS–17 Vice Chairman, Board of Contract Appeals

Office of the Inspector General

SES Deputy Inspector General
SES* Assistant Inspector General for Policy, Plans and Evaluation
SES* Assistant Inspector General for Auditing
SES* Deputy Assistant Inspector General for Auditing
SES* Assistant Inspector General for Investigations

Office of Organization and Personnel

SES Director of Organization and Personnel

Office of Oversight

SES Director of Oversight
SES Director, Office of Administration Services
SES Executive Director

Regional Offices

SES Regional Administrator, Region 1 (Boston) (General)
SES Deputy Regional Administrator, Region 1 (Boston) (General)
SES* Assistant Regional Administrator for Public Buildings and Real Property, Region 1 (Boston) (Career Reserved)
SES Regional Administrator, Region 2 (New York) (General)
SES* Deputy Regional Administrator, Region 2 (New York) (General)
SES* Regional Controller, Region 2 (New York) (Career Reserved)
SES* Assistant Regional Administrator for Public Buildings and Real Property, Region 2 (New York) (Career Reserved)
SES* Assistant Regional Administrator for Federal Supply and Services, Region 2 (New York) (Career Reserved)
SES Regional Administrator, Region 3 (Philadelphia)
SES Deputy Regional Administrator, Region 3 (Philadelphia) (General)
SES* Assistant Regional Administrator for Public Buildings and Real Property, Region 3 (Philadelphia) (Career Reserved)
SES Regional Administrator, Region 4 (Atlanta) (General)
SES* Assistant Regional Administrator for Public Buildings and Real Property, Region 4 (Atlanta) (Career Reserved)
SES* Assistant Regional Administrator for Federal Supply and Services, Region 4 (Atlanta) (Career Reserved)
SES* Assistant Regional Administrator for Information Resources Management, Region 4 (Atlanta) (Career Reserved)
SES Regional Administrator, Region 5 (Chicago)
SES Deputy Regional Administrator, Region 5 (Chicago)
SES* Regional Controller, Region 5 (Chicago) (Career Reserved)
SES* Assistant Regional Administrator for Public Buildings and Real Property, Region 5 (Chicago)
SES* Assistant Regional Administrator for Federal Supply and Services, Region 5 (Chicago)
SES Regional Administrator, Region 6 (Kansas City) (General)
SES Deputy Regional Administrator, Region 6 (Kansas City) (General)
SES* Regional Controller, Region 6 (Kansas City) (Career Reserved)
SES* Assistant Regional Administrator for Public Buildings and Real Property, Region 6 (Kansas City) (Career Reserved)
SES* Assistant Regional Administrator for Information Resources management, Region 6 (Kansas City) (Career Reserved)
SES Regional Administrator, Region 7 (Fort Worth) (General)
SES* Deputy Regional Administrator, Region 7 (Fort Worth) (General)
SES* Assistant Regional Administrator for Public Buildings and Real Property, Region 7 (Fort Worth) (Career Reserved)
SES* Assistant Regional Administrator for Federal Supply and Services, Region 7 (Fort Worth)
SES* Assistant Regional Administrator for Information Resources Management, Region 7 (Fort Worth) (Career Reserved)
SES Regional Administrator, Region 8 (Denver) (General)
SES* Deputy Regional Administrator, Region 8 (Denver) (General)
SES Assistant Regional Administrator for Public Buildings and Real Property, Region 8 (Denver) (Career Reserved)
SES Regional Administrator, Region 9 (San Francisco) (General)
SES* Deputy Regional Administrator, Region 9 (San Francisco) (General)
SES Assistant Regional Administrator for Public Buildings and Real Property, Region 9 (San Francisco) (Career Reserved)
SES* Assistant Regional Administrator for Federal Supply and Services, Region 9 (San Francisco) (Career Reserved)
SES* Assistant Regional Administrator for Information Resources Management, Region 9 (San Francisco) (Career Reserved)
SES Regional Administrator, Region 10 (Auburn)
SES* Deputy Regional Administrator, Region 10 (Auburn) (General)
SES* Assistant Regional Administrator for Public Utilities and Real Property, Region 10 (Auburn) (Career Reserved)
SES Regional Administrator, National Capitol Region (Washington, D.C.) (General)
SES Deputy Regional Administrator, National Capitol Region (Washington, D.C.) (General)
SES* Regional Controller (National Capital Region) (Career Reserved)
SES* Assistant Regional Administrator for Public Buildings and Real Property (National Capital Region) (Career Reserved)
SES* Assistant Regional Administrator for Federal Supply and Services (National Capital Region) (Career Reserved)
SES* Assistant Regional Administrator for Information Resources Management (National Capital Region) (Career Reserved)

AGENCY: INTER-AMERICAN FOUNDATION

Positions: No section 207(d)(1)(C) Designations.

AGENCY: INTERNATIONAL TRADE COMMISSION

Positions:

SES Director of Operations
SES General Counsel
SES Director of Industries
SES Director of Investigations
SES Director, Economic Research
SES Director of Administration
SES Director, Office of Traff Affairs

AGENCY: INTERSTATE COMMERCE COMMISSION

Positions:

SES Managing Director
SES General Counsel
SES Director, Bureau of Traffic
SES Director, Bureau of Accounts
SES Director, Office of Proceedings
SES Director, Office of Transportation Analysis (OTA)
SES Assistant Managing Director

SES Deputy General Counsel
SES Associate Director, Office of Proceedings
SES Associate Director, Office of Transportation Analysis (OTA)
SES Director, Office Compliance and Consumer Assistance-OCCA
SES Associate Director, Office of Compliance and Consumer Assistance-OCCA
SES Chief of Staff
SES Legislative Counsel

AGENCY: JAPAN-UNITED STATES FRIENDSHIP COMMISSION

Positions:

SES Executive Director

AGENCY: MERIT SYSTEMS PROTECTION BOARD

Positions:

SES Managing Director
SES Assistant Managing Director for Management
SES Assistant Managing Director for Regional Operations
SES General Counsel
SES Deputy General Counsel
SES Legislative Counsel
SES Director, Office of Appeals Counsel
SES Director, Office of Merit Systems Review and Studies
SES Director, Office of Administration
SES Regional Director (Seven positions, one each at these field locations: Atlanta, Chicago, Dallas, New York, Philadelphia, San Francisco, Washington, D.C.)

AGENCY: NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Positions:

Office of the Administrator

SES Associate Deputy Administrator

Office of the Comptroller

SES Deputy Comptroller, NASA
SES Comptroller, NASA

Office of Legislative Affairs

SES Assistant Administrator for Legislative Affairs
SES Deputy Assistant Administrator for Legislative Affairs

Office of the Chief Engineer

SES Chief Engineer, NASA
SES Deputy Chief Engineer, NASA

Office of Space Science and Applications

SES Associate Administrator for Space Science and Applications
SES Deputy Associate Administrator for Space Science and Applications

Office of General Counsel

SES General Counsel
SES Deputy General Counsel, NASA

Office of Procurement

SES Assistant Administrator for Procurement
SES Deputy Assistant Administrator for Procurement

Office of External Relations

SES Associate Administrator for External Relations
SES Deputy Associate Administrator for External Relations

Office of Space Flight

SES Associate Administrator for Space Flight
SES Deputy Associate Administrator for Space Flight

Office of Managment

SES Associate Administrator for Management
SES Deputy Associate Administrator for Management

Office of Aeronautics and Space Technology

SES Associate Administrator for Aeronautics and Space Technology
SES Deputy Associate Administrator for Aeronautics and Space Technology

Office of Policy

SES* Associate Administrator for Policy

Office of Chief Scientist

SES* Chief Scientist

Office of Space Tracking and Data Systems

SES Associate Administrator for Space Tracking and Data Systems
SES Deputy Associate Administrator for Space Tracking and Data Systems

Office of Equal Opportunity Programs

SES Assistant Administrator for Equal Opportunity Programs
SES Deputy Assistant Administrator for Equal Opportunity Programs

Inspector General

SES Deputy Inspector General

Ames Research Center

SES Director, NASA Ames Research Center
SES Deputy Director, NASA Ames Research Center

Goddard Space Flight Center

SES Director, NASA Goddard Space Flight Center
SES Deputy Director, NASA Goddard Space Flight Center

Johnson Space Center

SES Director, NASA Johnson Space Center
SES Deputy Director, NASA Johnson Space Center

Kennedy Space Center

SES Director, NASA Kennedy Space Center
SES Deputy Director, NASA Kennedy Space Center

Langley Reserch Center

SES Director, NASA Langley Research Center

Lewis Research Center

SES Director, NASA Lewis Research Center
SES Deputy Director, NASA Lewis Research Center

Marshall Space Flight Center

SES Director, NASA Marshall Space Flight Center
SES Deputy Director, NASA Marshall Space Flight Center
SES Deputy Director, NASA Langley Research Center

National Space Technology Laboratories

SES Manager, National Space Technology Laboratories
SES Deputy Manager, National Space Technology Laboratories

AGENCY: NATIONAL CAPITAL PLANNING COMMISSION

Positions:

SES Executive Director
SES Associate Executive Director for Regional Affairs
SES Associate Executive Director for District of Columbia Affairs
SES General Counsel
SES Assistant Executive Director for Operations

AGENCY: NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Positions:

SES 0–4 Executive Director

AGENCY: NATIONAL CREDIT UNION ADMINISTRATION

Positions:

SES General Counsel
SES Internal Auditor
SES Regional Directors (6)
SES Deputy General Counsel
SES President, Central Liquidity Facility
SES Director, Office of Programs
SES Director, Office of Service's

AGENCY: NATIONAL ENDOWMENT FOR THE ARTS

Positions:

SES Deputy Chairman
SES Associate Chairman Institution Relations
SES General Counsel
SES Director, Office of Planning and Policy Assessment
SES Director, Division of Education Programs

AGENCY: NATIONAL ENDOWMENT FOR THE HUMANITIES

Positions:

SES Deputy Chairman for Programs
SES Assistant Chairman for Institutional Relations
SES Deputy Chairman for Management
SES Director, Division of State Programs
SES General Counsel
SES Director, Office of Planning and Policy Assessment
SES Director, Division of Public Programs
SES Director, Division of Education Programs

AGENCY: NATIONAL LABOR RELATIONS BOARD

Positions:

SES Solicitor

SES Executive Secretary
SES Deputy General Counsel
SES General Counsel, Division of Enforcement Litiation

AGENCT: NATIONAL SCIENCE FOUNDATION

Positions:

SES Director, Office of Audit and Oversight
SES Director, Office of Government & Public Programs
SES Director, Office of Planning & Resources Management
SES General Counsel
SES Director, Office of Small Business Research & Development
SES Director, Office of Scientific Ocean Drilling
SES Director, Office of Science and Engineering Personnel and Education
SES Assistant Director for Engineering
SES Assistant Director, Scientific, Technological & International Affairs
SES Assistant Director for Administration
SES Deputy Assistant Director, Astronomical, Atmospheric, Earth & Ocean Sciences
SES Deputy Assistant Director, Biological, Behavioral & Social Sciences
SES Deputy Assistant Director, Engineering
SES Deputy Assistant Director, Scientific, Technological & International Affairs
SES Deputy Assistant Director, Administration

AGENCY: NATIONAL TRANSPORTATION SAFETY BOARD

Positions:

SES Managing Director
SES Deputy Managing Director
SES General Counsel
SES Director, Bureau of Accident Investigation
SES Director, Bureau of Technology
SES Director, Bureau of Administration
SES* Director, Bureau of Safety Programs

AGENCY: NUCLEAR REGULATORY COMMISSION

Positions:

Office of the Commission

GS–18 Executive Assistant to the Chairman

Advisory Committee on Reactor Safeguards

SES Executive Director, ACRS
SES Deputy Executive Director, ACRS
SES Assistant Executive Director for Project Review, ACRS

Office of Administration

SES Director, Office of Administration
SES Deputy Director, Office of Administration
SES Director, Division of Organization & Personnel
SES Director, Division of Contracts
SES Director, Division of Tech Information & Document Control

Office of Resource Management

SES Controller and Director
SES Deputy Controller and Deputy Director

Office of the Secretary

SES Secretary of the Commission
SES Assistant Secretary of the Commission

Office of Inspector and Auditor

SES Director, OIA
SES Deputy Director and Assistant for Audits

Office of State Programs

SES Director, State Programs

Office of Investigations

SES Director, Office of Investigations
SES Deputy Director of Investigations
SES Director, Policy and Program Support Staff

Atomic Safety and Licensing Board Panel

SES Deputy Chief Administrative Judge (Executive)
GG–17 Deputy Chief Administrative Judge (Legal)
SES (Chief Administrative Judge)

Atomic Safety and Licensing Appeal Panel

SES Vice Chairman, ASLAP
GG–17 Administrative Judge (Technical) ASLAP (4)
GG–17 Administrative Judge (Technical) (1)
SES Chairman, ASLAP

Office of the General Counsel

SES General Counsel
SES Solicitor, OGC
SES Deputy General Counsel for Dom Lic & Reg
SES* Assistant General Counsel for International and Legislative Affairs
SES Assistant General Counsel for Administration and Adjudication

Office of Public Affairs

SES Director, Office of Public Affairs
SES Deputy Director, Office of Public Affairs

Office of Congressional Affairs

SES Director, Office of Congressional Affairs

Office of Policy Evaluation

SES Director, Office of Policy Evaluation
SES A/D for Technical Review, OPE
SES Deputy Director for Special Projects, OPE

Executive Director for Operations

SES Executive Director for Operations
SES Deputy Executive Director for Operations
SES Assistant for Operations
SES Deputy Executive Director for Regional Operations and Generic Requirements
SES Director, Regional Operations and Generic Requirements Staff

Office of the Executive Legal Director

SES Executive Legal Director
SES Deputy Executive Legal Director
SES Director & Chief Counsel, Regulations Division
GG–17 Special Assistants to the Executive Legal Director (2)
SES Director/Chief Counsel, Operations and Administration Division
SES Director & Chief Counsel, Hearing Division
SES Assistant Chiefs, Hearing Counsel (4)
SES Deputy Chief, Hearing Counsel, Deputy Director, Hearing Division
SES* Director & Chief Counsel, Regional Operations and Enforcement Division
SES Deputy Chief Hearing Counsel

Office of International Programs

SES Director, Office of International Programs
SES A/D for International Cooperation
SES A/D for Export/Import & International Safeguards

Office of Nuclear Reactor Regulations

SES Director, NRR
SES Deputy Director, Office of Nuclear Reactor Regulation
SES Director, CRBR Program Office
SES Program Director, TMI Program Office
SES Deputy Program Director, TMI Program Office
SES Director, Planning & Program Analysis Staff
SES Director, Division of Licensing
SES Deputy Director, Division of Licensing
SES Assistant Director for Operating Reactors
SES Chief, Operating Reactors Branch 1
SES Chief, Operating Reactors Branch 2
SES Chief, Operating Reactors Branch 3
SES Chief, Operating Reactors Branch 4
SES Assistant Director for Licensing
SES Chief, Licensing Branch 1
SES Chief, Licensing Branch 2
SES Chief, Licensing Branch 3
SES Chief, Licensing Branch 4
SES Chief, Standardization and Special Projects Branch
SES Assistant Director for Safety Assessment
SES Chief, Operating Reactors Branch 5
SES Chief, Systematic Evaluation Program Branch
SES Chief, Operating Reactors Assessment Branch
SES Director, Division of Engineering
SES Assistant Director for Components & Structures Engineering
SES Chief, Mechanical Engineering Branch
SES Chief, Structural Engineering Branch
SES Chief, Geosciences Branch
SES* Chief, Structural and Geotechnical Engineering Branch
SES* Assistant Director for Materials, Chemical & Environmentral Technology
SES* Technical Advisor
SES Chief, Materials Engineering Branch
SES Chief, Chemical Engineering Branch
SES Chief, Equipment Qualification Branch
SES Chief, Quality Assurance Branch
SES Assistant Director for Environmental Technology
SES* Chief, Environmental and Hydrologic Engineering Branch
SES Chief, Site, Analysis Branch
SES Director, Division of Systems Integration
SES* Chief, Special Assistant for Policy Development
SES Assistant Director for Core and Plant Systems
SES Chief, Instrumentation & Control Systems Branch
SES Chief, Power Systems Branch
SES Chief, Containment Systems Branch
SES Chief, Auxiliary Systems Branch

SES Assistant Director for Radiation Protection
SES Chief, Accident Evaluation Branch
SES Chief, Radiological Assessment Branch
SES* Chief, Meteorology and Effluent Branch
SES Assistant Director for Reactor Safety
SES Chief, Reactor Systems Branch
SES Chief, Core Performance Branch
SES Chief, Systems Interaction Branch
SES Director, Division of Human Factors Safety
SES Deputy Director, Division of Human Factors Safety
SES Chief, Human Factors Engineering Branch
SES Chief, Operator Licensing Branch
SES Chief, Licensee Qualifactions Branch
SES Chief, Procedures & Test Review Branch
SES Director, Division of Safety Technology
SES Assistant Director for Generic Projects
SES Chief, Generic Issues Branch
SES Chief, Licensing Guidance Branch
SES Chief, Research & Standards Coordination Branch
SES Assistant to the Director for Technology
SES Chief, Safety Program Evaluation Branch
SES Chief, Reliability and Risk Assessment Branch

Office of Nuclear Regulatory Research

SES Director, Nuclear Regulatory Research
SES Deputy Director, Nuclear Regulatory Research

Office of Nuclear Material Safety and Safeguards

SES Director, NMSS
SES Deputy Director, NMSS
ST* Chief Engineer
SES Director, Division of Safeguards
SES Deputy Director, Division of Safeguards
SES Chief, Licensing Policy and Program Branch
SES Chief, Power Reactor Safeguards Licensing Branch
SES Chief, Fuel Facilities Safeguards Licensing Branch
SES Chief, Material Transfer Safeguards Licensing Branch
SES Deputy Director, Division of Fuel Cycle & Material Safety
SES Director, Division of Fuel Cycle & Material Safety
SES Chief, Adv & Spent Fuel Licensing Branch
SES Chief, Uranium Fuel Licensing Branch
SES Chief, Transportation and Certification Branch
SES Chief, Materials Certification and Procedures Branch
SES Chief, Low Level Waste Licensing Branch
SES Chief, Licensing Proc and Integration Branch
SES Hi-Level Waste Technology Development Branch
SES Deputy Director, Waste Management Division
SES Chief, Hi-Level Waste Licensing Management Branch
SES Director, Division of Waste Management

Office of Inspection and Enforcement

SES Director, Inspection and Enforcement
SES Deputy Director, Inspection and Enforcement
SES Director, Enforcement Staff
SES Director, Division of Emergency Preparedness
SES Deputy Director, Division of Emergency Preparedness
SES Chief, Emergency Preparedness Licensing Branch
SES Director, Division of Fuel Facilities, Materials Safeguards
SES* Director, Division of Reactor Programs
SES* Chief, Operating Reactors Programs Branch
SES* Chief, Reactor Construction Programs Branch
SES* Senior Technical Representative
SES* Director, Division of Engineering and Quality Assurance
SES* Chief, Engineering and Technical Support Branch
SES* Chief, Quality Assurance Branch
SES* Deputy Branch Chief, Quality Assurance Branch
SES* Chief, Events Analysis Branch
SES* Chief, Incident Response and Development Branch
SES* Director, Technical Training Center
SES Regional Administrator, Region I
SES Deputy Regional Administrator, Region I
SES Director, Division of Project and Resident Programs Region I
SES Director, Division of Engineering and Technical Programs, Region I
SES Regional Administrator, Region II
SES Deputy Regional Administrator, Region II
SES Director, Division of Engineering and Technical Programs, Region II
SES Director, Division of Project and Resident Programs, Region II
SES Regional Administrator, Region III
SES Deputy Regional Administrator, Region III
SES Director, Division of Project and Resident Programs, Region III
SES Director, Division of Engineering and Technical Programs, Region III
SES Regional Administrator, Region IV
SES* Director, Uranium Recovery Field Office, Region IV
SES Deputy Regional Administrator, Region IV
SES* Director, Division of Resident, Reactor Project and Technical Programs, Region IV
SES* Director, Division of Vendor and Technical Programs, Region IV
SES Regional Administrator, Region V
SES Deputy Regional Administrator, Region V
SES Director, Division of Resident, Reactor Project and Engineering Programs, Region V
SES* Director, Division of Radiological and Safeguards Programs, Safety Region V

Office for Analysis and Evaluation of Operational Data

SES Director, Office for Analysis and Evaluation of Operational Data
SES Deputy Director, Office of Analysis and Evaluation of Operational Data
SES* Chief, Reactor Operations Branch

Office of Small and Disadvantaged Business Utilization and Civil Rights

SES* Director, Office of Small and Disadvantaged Business Utilization and Civil Rights

AGENCY: OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Positions:

SES Executive Director
SES General Counsel

AGENCY: OFFICE OF PERSONNEL MANAGEMENT

Positions:

SES Deputy Associate Director, Workforce Effectiveness and Development Group
SES Associate Director, Compliance and Investigations Group
SES Assistant Director for Agency and Labor-Management Relations, Office of Policy and Communications
SES Assistant Director for Planning and Evaluation, Office of Policy and Communications
SES Chairman, Federal Prevailing Rate Advisory Committee
SES Assistant Director for Agency Compliance and Evaluation, Compliance and Investigations Group
SES Assistant Director for Administrative Law Judges, Staffing Group
SES Assistant Director for Staffing, Staffing Group
SES Deputy Associate Director, Compensation Group
SES Assistant Director for Retirement Programs, Compensation Group
SES Director, New York Region
SES Director, Chicago Region
SES Deputy Director, Chicago Region
SES Director, Dallas Region
SES Deputy Director, Dallas Region
SES Director, San Francisco Region
SES Deputy Director, San Francisco, Region
SES Director, Boston Region
SES Director, Philadelphia Region
SES Deputy Director, Philadelphia Region
SES Director, Atlanta Region
SES Deputy Director, Atlanta Region
SES Director, Denver Region
SES Director, St. Louis Region
SES Director, Seattle Region
SES Assistant Director for Insurance Programs, Compensation Group
SES Dean, Federal Executive Institute, Workforce Effectiveness and Development Group
SES Chief, Medical Policy and Programs Division, Staffing Group
SES Assistant Director for Personnel Research and Development, Staffing Group
SES Assistant Director for Affirmative Employment, Workforce Effectiveness and Development Group
SES Assistant Director, Office of Management, Administration Group
SES Assistant Director for Personnel Investigations, Compliance and Investigations Group
SES Deputy General Counsel, Office of the General Counsel
SES Associate Director, Staffing Group

SES Associate Director, Administration Group
SES Associate Director, Compensation Group
SES Associate Director, Workforce Effectiveness and Development Group
SES Deputy Director, Office of Government Ethics
SES Chief Counsel, Office of Government Ethics
SES General Counsel, Office of the General Counsel
SES* Deputy Associate Director, Administration Group
SES* Executive Assistant Director, Office of Policy and Communication
SES* Deputy Associate Director, Workforce Effectiveness and Development Group
SES* Deputy Associate Director, Compliance and Investigations Group

AGENCY: OFFICE OF SPECIAL COUNSEL (MSPB)

Positions:

SES Deputy Special Counsel
SES Associate Special Counsel for Investigation
SES Associate Special Counsel for Prosecution
SES* Deputy Associate Special Counsel for Investigation

AGENCY: OVERSEAS PRIVATE INVESTMENT CORPORATION

Positions: No Section 207(d)(1)(C) Designations.

AGENCY: PEACE CORPS

Positions:

FE-2 General Counsel, Peace Corps
FE-2 Associate Director, International Operations, Peace Corps

AGENCY: PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Positions:

AD Executive Director of the Corporation
AD Assistant Director—Legal
AD Assistant Director—Development
AD All members of the Board of Directors (23)

AGENCY: PENSION BENEFIT GUARANTY CORPORATION

Positions:

GS-17 Deputy Executive Director
GS-17 General Counsel
GS-17 Director, Office of Program Operations
GS-17 Director, Office of Financial Operations
GS-17 Assistant Executive Director for Policy and Planning

AGENCY: POSTAL RATE COMMISSION

Positions:

AD-18 General Counsel of the Commission
AD-18 Director of the Office of Technical Analysis and Planning
AD-18 Director of the Office of Consumer Advocate

AGENCY: RAILROAD RETIREMENT BOARD

Positions:

SES Chief Executive Officer
SES Chief Actuary
SES Deputy Executive Officer
SES Director of Budget and Fiscal Operations
SES Director, Bureau of Data Processing and Accounts
SES Director, Bureau of Retirement Claims
SES Director, Bureau of Unemployment and Sickness Insurance
SES Director of Research
SES General Counsel

AGENCY: SECURITIES AND EXCHANGE COMMISSION

Positions:

SES General Counsel
SES Director, Division of Corporation Finance
SES Director, Division of Corporate Regulation
SES Director, Division of Enforcement
SES Director, Division of Investment Management
SES Director, Division of Market Regulation
SES Deputy Director, Division of Corporation Finance
SES Chief Accountant of the Commission
SES Deputy Chief Accountant
SES Executive Director
SES Regional Administrator, New York
SES Regional Administrator, Chicago
SES Regional Administrator, Los Angeles
SES Deputy Regional Administrator, New York

AGENCY: SELECTIVE SERVICE SYSTEM

Positions:

SES Deputy Director of the Agency
SES Associate Director, Administration
SES Associate Director, Planning and Operations
SES Associate Director, Management Information Systems
SES Associate Director, Policy Development and Administrative Legal Systems

AGENCY: SMALL BUSINESS ADMINISTRATION

Positions:

SES Deputy Administrator
SES Regional Administrator, Region I
SES Regional Administrator, Region II
SES Regional Administrator, Region III
SES Regional Administrator, Region IV
SES Regional Administrator, Region V
SES Regional Administrator, Region VI
SES Regional Administrator, Region VII
SES Regional Administrator, Region VIII
SES Regional Administrator, Region IX
SES Regional Administrator, Region X
SES Director, Equal Employment Opportunity and Compliance
SES General Counsel
SES Deputy General Counsel
SES Associate Administrator for Procurement and Technology Assistance
SES Associate Administrator for Management Assistance
SES Associate Administrator for Minority Small Business & Capital Ownership Development
SES Associate Administrator of Finance and Investment
SES Assistant Administrator for Administration
SES Director of Personnel
SES Associate Deputy Administrator for Resource Management
SES Associate Deputy Administrator for Special Programs
SES Assistant Administrator for Hearings and Appeals
SES Comptroller
SES Director of Field Review
SES Assistant Administrator for Innovation Research and Technology

AGENCY: TENNESSEE VALLEY AUTHORITY

Positions: No section 207(d)(1)(C) designations.

AGENCY: UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

Positions:

SES* Counselor
0-7/0-8 Senior Military Adviser, D
SES Special Representative for INF
SFS U.S. Representative to CD
SES Administrative Director
SES General Counsel
SES* Director, Office of Public Affairs
SES Deputy Assistant Director, SP
SFS Deputy Assistant Director, NWC
IPA Deputy Assistant Director, VI
SES Deputy Assistant Director, MA

AGENCY: UNITED STATES INFORMATION AGENCY

Positions:

SES Director, Office of Public Liaison
SFS Counselor of the Agency
SES General Counsel
SES Deputy General Counsel

The Directorate for Educational and Cultural Affairs

SFS Director of Cultural Centers and Resources
SES Director, Office of Academic Programs

The Directorate for Broadcasting (the Voice of America)

SFS Deputy Assoicate Director
SES Director, Office of Administration
SES Director of Programs
SES Director of Engineering and Technical Operations
SES Director, Office of Personnel

The Directorate for Management

SES Deputy Assoicate Director
SFS Director of Administrative Services
SES Director, Office of Comptroller
SES Director, Office of Personnel
SES Director, Office of Systems Technology

The Directorate for Programs

SES Director Exhibits Service
SES Director of Press and Publication Services

SES Director of Television and Film Service
SFS Deputy Associate Director
SES Executive Officer

AREA OFFICES

SFS Director of African Affairs
SFS Deputy Director African Affairs
SFS Director of European Affairs
SFS Deputy Directors of European Affairs (2)
SFS Director of East Asian and Pacific Affairs
SFS Director of American Republic Affairs
SFS Director of North African, Near Eastern and South Asian Affairs
SFS Deputy Director of North African and Near Eastern and South Asian Affairs
SFS Public Affairs Officers of Class 1 Posts (6)

AGENCY: U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Positions:

Agency for International Development

Office of the Administrator

SFS–MC Counselor to the Agency

Office of the General Counsel

SES General Counsel
SES* Senior Deputy General Counsel

Office of the Inspector General

SES Inspector General
SES* Assistant Inspector General for Investigations
SES* Assistant Inspector General for Security

Office of Legislative Affairs (LEG)

SES Director

Office of Public Affairs (OPA)

SES Director

Board for International Food and Agricultural Development Support Staff (BIFAD/S)

Office of the Executive Director

SES Executive Director

Office of U.S. Foreign Disaster Assistance (OFDA)

SES Coordinator, Foreign Disaster Relief

Bureau for Management

Office of the Assistant to the Administrator for Management (AA/SER)

SES Assistant to the Administrator for Management
SES* Deputy Assistant to the Administrator for Management

Office of Financial Management (M/FM)

SES Controller
SES Deputy Controller

Office of Personnel Management (M/PM)

SFS–MC Director
SES Deputy Director

Directorate for Program and Management Services (M/SER)

Office of the Assoicate Assistant to the Administrator

SES Assoicate Assistant to the Administrator for Management (M/AAA/SER)

Office of Information Resources Management (M/SER/IRM)

SES Director
SES* Deputy Director

Office of Management Operations (M/SER/MO)

SES Director
SFS–C Deputy Director

Office of Contract Management (M/SER/CM)

SES Director
SES Deputy Director

Office of Commodity Management (M/SER/COM)

SES Director
SFS–C* Deputy Director

Executive and Overseas Management Service

Office of the Director

SFS–C* Director

Office of Equal Opportunity Programs (EOP)

SES Director

Bureau for Food for Peace and Voluntary Assistance (FVA)

Office of the Assistant Administrator (AA/FVA)

SFS–MC Deputy Assistant Administrator

Office of Program, Policy and Evaluation (PPE)

SFS–C Director, Program Policy and Evaluation

Office of Private and Voluntary Cooperation (PVC)

SES Director, Private and Voluntary Cooperation

Office of Food for Peace (FFP)

SES Director, Food for Peace
SFS–C Deputy Director, Food for Peace

Bureau for Private Enterprise (PRE)

Office of the Assistant Administrator (AA/PRE)

SFS–MC* Deputy Assistant Administrator for Policy and Investment

Office of Policy and Program Review (PPR)

SES Director

Office of Housing (H)

SES Director
SFS–C Deputy Director
SFS–C* Deputy Director for Urban Programs

Bureau for Program and Policy Coordination

Office of the Assistant Administrator (AA/PPC)

SFS–CM Deputy Assistant Administrator

Office of Policy Development and Program Review (PPC/PDPR)

SES* Associate Assistant Administrator

Office of Planning and Budgeting (PPC/PB)

SFS–MC Director

Bureau for Science and Technology (S & T)

Office of Senior Assistant Administrator

SFS–MC Deputy Assistant Administrator for Research
SFS–MC Deputy Assistant Administrator for Technical Cooperation

Office of Technical Review and Information

SES Director

University Relations and Research Coordination

AD–18 Coordinator for University Relations and Research Support

Office of Program

SFS–MC Director

Agency Directorate for Food and Agriculture

SES* Agency Director for Food and Agriculture

Office of Agriculture

SES Director

Office of Nutrition

SES Director

Agency Directorate for Energy and Natural Resources

SES Agency Director for Energy and Natural Resources

Office of Forestry, Environment and Natural Resources

SES Director

Office of Energy

SES Director

Agency Directorate for Human Resources

SES Agency Director for Human Resources

Office of Multisectoral Development

SFS–C Director

Office of Education

SFS–C Director

Office of International Training

SES Director
SFS–C Deputy Director

Directorate for Health and Population

SES Agency Director for Health and Population
SFS–C Deputy Agency Director for Health and Population

Office of Health

SES Director

Office of Population

SES Director
SES Deputy Director

Bureau of Africa (AFR)

SFS–CM Deputy Assistant Administrator
SFS–CM Deputy Assistant Administrator

SFS–CM Deputy Assistant Administrator for East and Southern Africa
SFS–CM Deputy Assistant Administrator for West and Central Africa

Office of Development Planning (AFR/DP)

SFS–MC Director

Office of Program Management Resources (AFR/PMR)

SFS–MC Director

Office of Technical Resources (AFR/TR)

SFS–MC Director

Office of Project Development (AFR/PD)

SFS–C Director

Bureau of Asia (AA/ASIA)

Office of the Assistant Administrator (AA/ASIA)

SFS–MC Deputy Assistant Administrator

Office of Development Planning (ASIA/DP)

SFS–MC Director

Office of Technical Resources (ASIA/TR)

SFS–MC Director

Bureau for Latin American and Caribbean (LAC)

Office of the Assistant Administrator (AA/LAC)

SFS–CM Deputy Assistant Administrator

Office of Development Programs (LAC/DR)

SFS–MC Director

Office of Development Resources (LAC/DR)

SFS–MC Director

Bureau for Near East (NE)

Office of the Assistant Administrator (AA/NE)

SES Deputy Assistant Administrator

Office of Development Planning (NE/DP)

SFS–MC Director

Office of Project Development (NE/DP)

SES Director

Office of Technical Support (NE/TECH)

SFS–MC Director

Missions

Africa

SFS–MC Director, Botswana
SFS–MC Director, Cameroon
SFS–MC* AID Representative, Chad
SFS–MC AID Representative, Gambia
SFS–MC Director, Ghana
SFS–MC Director, Kenya
SFS–MC Director, Lesotho
SFS–MC AID Representative, Malawi
SFS–MC Director, Mali
SFS–MC Director, Mauritania
SFS–MC Director, Niger
SFS–MC Director, Senegal
SFS–MC Director, Somalia
SFS–MC Director, Sudan
SFS–MC Director, Swaziland
SFS–MC Director, Tanzania
SFS–MC AID Representative, Togo
SFS–MC Director, Uganda
SFS–MC Director, Upper Volta
SFS–MC AID Representative, Zambia
SFS–MC Director, Zimbabwe
SFS–C* Controller, Regional Financial Management Center (Kenya)
SFS–MC Director, Regional Economic Development Services Office, West Africa
SFS–MC Director, Regional Economic Development Services Office, East Africa
SFS–C Regional Development Officer, Guinea-Bissau/Cape Verde
SFS–C Regional Housing Officer, West Africa
SFS–C Regional Housing Officer, East Africa
SFS–C* Regional Housing Officer, East Africa

Asia

SFS–C AID Representative, Burma
SFS–C Regional Development Officer, Fiji
SFS–C Director, Nepal
SFS–C Director, Sri-Lanka
SFS–MC* Director, Thailand

Europe

SFS–C AID Coordinator, Geneva
SFS–C Regional Food for Peace Officer, FAO Affairs, Rome

Latin America and the Caribbean

SFS–C* AID Representative, Belize
SFS–MC Director, Bolivia
SFS–MC Director, Regional Development Office, Caribbean
SFS–MC Director, Costa Rica
SFS–MC Director, Equador
SFS–MC Director, El Salvador
SFS–MC Director, Guatemala
SFS–MC Director, Guyana
SFS–MC Director, Regional Office for Central American Programs, (ROCAP)
SFS–MC Director, Haiti
SFS–MC Director, Honduras
SFS–MC Director, Jamaica
SFS–MC Director, Nicaragua
SFS–MC Director, Panama
SFS–MC Director, Paraguay
SFS–C Regional Housing Officer, Latin America

Near East

SFS–MC Director, Lebanon
SFS–MC Director, Morocco
SFS–C AID Representative, Oman
SFS–MC AID Representative, Portugal
SFS–MC AID Representative, Syria
SFS–MC Director, Tunisia
SFS–MC Director, Yemen
SFS–C Regional Housing Officer, Tunisia

Trade and Development Program

SES Director
SES* Deputy Director

AGENCY: U.S. POSTAL SERVICE

Positions:

AD–17 Associate Judicial Officer

AGENCY: UNITED STATES RAILWAY ASSOCIATION

Positions:

AD President
AD Executive Vice President
AD Vice President–(1)

AGENCY: VETERANS ADMINISTRATION

Positions:

Office of the Administrator

SES Associate Deputy Administrator for Congressional and Public Affairs
SES Associate Deputy Administrator for Logistics
SES Associate Deputy Administrator for Information Resources Management

Office of Inspector General

SES Deputy Inspector General

Office of the General Counsel

SES General Counsel
SES Deputy General Counsel

Office of Public and Consumer Affairs

SES Director
SES Deputy Director

Office of Program Planning and Evaluation

SES Director

Office of Budget and Finance

SES Director

Office of Construction

SES Director
SES Deputy Director

Department of Memorial Affairs

SES Chief Memorial Affairs Director
SES Deputy Chief Memorial Affairs Director

Department of Veterans' Benefits

SES Chief Benefits Director
SES Deputy Chief Benefits Director

Department of Medicine and Surgery

AD Deputy Associate Deputy Chief Medical Director

Office of Personnel and Labor Relations

SES Director
SES Deputy Director

Office of Data Management and Telecommunications

SES Director

Office of Procurement and Supply

SES Director
SES Deputy Director

Office of Reports and Statistics

SES Director

(18 U.S.C. 207(d)(1)(C))

[FR Doc. 84–6763 Filed 3–14–84; 8:45 am]

BILLING CODE 6325–01–M

federal register

Thursday
March 15, 1984

Part III

Office of Management and Budget

Cumulative Report on Rescissions and Deferrals; Notice

OFFICE OF MANAGEMENT AND BUDGET

Cumulative Report on Rescissions and Deferrals

March 1, 1984.

This report is submitted in fulfillment of the requirements of section 1014(e) of the Impoundment Control Act of 1974 (Pub. L. 93–344). Section 1014(e) provides for a monthly report listing all budget authority for this fiscal year with respect to which, as of the first day of the month, a special message has been transmitted to the Congress.

This report gives the status as of March 1, 1984 of nine rescission proposals and 56 deferrals contained in the first seven special messages of fiscal year 1984. These messages were transmitted to the Congress on October 3, November 17, December 14 and December 21, 1983; and January 12 and February 1 and 22, 1984.

Rescissions (Table A and Attachment A)

As of March 1, 1984, nine rescission proposals totaling $636.4 million were pending before the Congress.

Deferrals (Table B and Attachment B)

As of March 1, 1984, $4,436.3 million in 1984 budget authority was being deferred from obligation and $11,000 in 1984 outlays was being deferred from expenditure. Attachment B shows the history and status of each deferral reported during fiscal year 1984.

Information From Special Messages

The special messages containing information on the recission proposal and deferrals covered by this cumulative report are printed in the **Federal Register** listed below:

Vol. 48, FR p. 45730, Thursday, October 6, 1983

Vol. 48, FR p. 53060, Wednesday, November 23, 1983

Vol. 48, FR p. 56720, Thursday, December 22, 1983

Vol. 48, FR p. 57098, Tuesday, December 27, 1983

Vol. 49, FR p. 2076, Tuesday, January 17, 1984

Vol. 49, FR p. 4692, Tuesday, February 7, 1984

Vol. 49, FR p. 7342, Tuesday, February 28, 1984

David A. Stockman,

Director, Office of Management and Budget.

BILLING CODE 3110-01-M

TABLE A

STATUS OF 1984 RESCISSIONS

	Amount (In millions of dollars)
Rescissions proposed by the President	$ 636.4
Accepted by the Congress	-0-
Rejected by the Congress	-0-
Pending before the Congress	$ 636.4

****

TABLE B

STATUS OF 1984 DEFERRALS

	Amount (In millions of dollars)
Deferrals proposed by the President	$ 7,261.5
Routine Executive releases through March 1, 1984 (OMB/Agency Releases of $2,892.5 million and cumulative adjustments of -$69.3 million)	-2,823.2
Overturned by the Congress	-2.0
Currently before the Congress	$ 4,436.3 a/

a/ This amount includes $11,000 in outlays for a Department of the Treasury deferral (D84-16).

Attachments

Attachment A - Status of Rescissions - Fiscal Year 1984

As of March 1, 1984 Amounts in Thousands of Dollars Agency/Bureau/Account	Rescission Number	Amount Previously Considered by Congress	Amount Currently before Congress	Date of Message	Amount Rescinded	Amount Made Available	Date Made Available	Congressional Action
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT								
Public and Indian Housing Programs								
Payment for operation of low-income housing	R84-2		331,431	2-1-84				
DEPARTMENT OF THE INTERIOR								
National Park Service								
Land acquisition	R84-3		30,000	2-1-84				
DEPARTMENT OF LABOR								
Occupational Safety and Health Administration	R84-1		1,700	12-21-83				
OTHER INDEPENDENT AGENCIES								
Corporation for Public Broadcasting								
Public broadcasting fund	R84-9		20,000	2-1-84				
Delaware and Susquehana River Basin Commissions								
Salaries and expenses, Delaware River Basin Commission	R84-4		19	2-1-84				
Salaries and expenses, Susquehana River Basin Commission	R84-5		24	2-1-84				
Panama Canal Commission								
Operating expenses	R84-6A		17,750	2-1-84				
Capital outlay	R84-6B		7,625	2-1-84				
OFF-BUDGET FEDERAL ENTITIES								
DEPARTMENT OF AGRICULTURE								
Rural Electrification Administration								
Rural electrification and telephone revolving fund	R84-7		197,862	2-1-84				
Rural telephone bank	R84-8		30,000	2-1-84				
Rescissions, total BA			636,411					

Attachment B - Status of Deferrals - Fiscal Year 1984

As of March 1, 1984 Amounts in Thousands of Dollars Agency/Bureau/Account	Deferral Number	Amount Transmitted Original Request	Amount Transmitted Subsequent Change	Date of Message	Cumulative OMB/Agency Releases	Congressionally Required Releases	Congressional Action	Cumulative Adjustments	Amount Deferred as of 3-1-84
FUNDS APPROPRIATED TO THE PRESIDENT									
Appalachian Regional Development Programs									
Appalachian regional development programs	D84-1	10,000		10-3-83					10,000
International Security Assistance									
Foreign military sales credit	D84-30	1,315,000		1-12-84					1,315,000
Economic support fund	D84-24	303,880		12-14-83					
	D84-24A		2,267,691	1-12-84	-1974441				597,130
Military assistance	D84-31	426,970		1-12-84	-199530				227,440
DEPARTMENT OF AGRICULTURE									
Soil Conservation Service									
Watershed and flood prevention operations	D84-49	8,138		2-1-84					8,138
Forest Service									
Construction	D84-37	10,814		2-1-84					10,814
Timber salvage sales	D84-2	6,211		10-3-83					
	D84-2A		9,210	1-12-84					15,421
Expenses, brush disposal	D84-3	42,674		10-3-83					
	D84-3A		12,398	1-12-84					55,072
DEPARTMENT OF COMMERCE									
International Trade Administration									
Participation in U.S. expositions	D84-32	550		1-12-84					550
National Oceanic & Atmospheric Administration									
Promote and develop fishery products and research pertaining to American fisheries	D84-4	33,600		10-3-83	-33600				0
DEPARTMENT OF DEFENSE - MILITARY									
Operation and Maintenance									
Environmental restoration, defense	D84-33	75,000		1-12-84	-75000				0
Military Construction									
Military construction, all services	D84-5	414,597		10-3-83					
	D84-5A		488,340	12-14-83	-352907			125,198	675,228

As of March 1, 1984 Amounts in Thousands of Dollars Agency/Bureau/Account	Deferral Number	Amount Transmitted Original Request	Amount Transmitted Subsequent Change	Date of Message	Cumulative OMB/Agency Releases	Congressionally Required Releases	Congressional Action	Cumulative Adjustments	Amount Deferred as of 3-1-84
Family Housing, Defense									
Family housing, Air Force	D84-6	53,000		10-3-83					
	D84-6A		20,131	12-14-83	-53000				20,131
DEPARTMENT OF DEFENSE - CIVIL									
Wildlife Conservation, Military Reservations									
Wildlife conservation	D84-7	777		10-3-83					
	D84-7A		385	1-12-84					1,162
DEPARTMENT OF EDUCATION									
Office of Postsecondary Education									
Higher education	D84-38	500		2-1-84					500
DEPARTMENT OF ENERGY									
Energy Programs									
Energy supply, research & development activities	D84-39	10,052		2-1-84					10,052
Uranium supply and enrichment activities	D84-8	130,000		10-3-83					130,000
Fossil energy research and development	D84-21	20,326		11-17-83	-20326				
	D84-21A		500	12-14-83					
	D84-21B		8,993	2-1-84					9,493
Fossil energy construction	D84-25	38,038	1,962	12-14-83				-26000	
	D84-25A		23,196	2-1-84					37,196
Naval petroleum and oil shale reserves	D84-40	41,500		2-1-84					41,500
Energy conservation	D84-41	10,077		2-1-84					10,077
Strategic petroleum reserve	D84-26	12,707		12-14-83					
	D84-26A		256	2-1-84					12,963
Alternative fuels production	D84-22	13,800		11-17-83					
	D84-22A		4,300	2-1-84	-12300				5,800
Power Marketing Administrations									
Operation and maintenance, Southwestern Power Administration	D84-42	7,000		2-1-84					7,000
Departmental Administration									
Departmental administration	D84-43	29,053		2-1-84					29,053
DEPARTMENT OF HEALTH AND HUMAN SERVICES									
Centers for Disease Control									
Disease control	D84-27	15,560		12-14-83					15,560
Office of Assistant Secretary for Health									
Scientific activities overseas (special foreign currency program)	D84-9	6,463		10-3-83					
	D84-9A		571	1-12-84					7,034
Social Security Administration									
Limitation on administrative expenses (construction)	D84-10	10,571		10-3-83					
	D84-10A		10,491	12-21-83	-14				21,048
DEPARTMENT OF THE INTERIOR									
Minerals Management Service									
Payments for proceeds, sale of water, Mineral Leasing Act of 1920	D84-11	48		10-3-83					48
Bureau of the Mines									
Mines and minerals	D84-44	1,667		2-1-84					1,667
National Park Service									
Land acquisition and state assistance (contract authority)	D84-23	30,000		11-17-83					
	D84-23A		2,700	2-1-84				-30000	2,700
Construction (trust fund)	D84-50	14,000		2-22-84					14,000
Office of the Secretary									
Office of Water Policy	D84-51	300		2-22-84					300
DEPARTMENT OF JUSTICE									
Federal Prison System									
Buildings and facilities	D84-28	22,025		12-14-83					
	D84-28A		23,752						45,777
Office of Justice Assistance, Research and Statistics									
Law enforcement assistance	D84-52	296		2-22-84					296
DEPARTMENT OF STATE									
International Organizations and Conferences									
Contributions to international organizations	D84-46	4,723		2-1-84					4,723

As of March 1, 1984
Amounts in thousands of Dollars

Agency/Bureau/Account	Deferral Number	Amount Transmitted Original Request	Amount Transmitted Subsequent Change	Date of Message	Cumulative OMB/Agency Releases	Congressionally Required Releases	Congressional Action	Cumulative Adjustments	Amount Deferred as of 3-1-84
Contributions for international peacekeeping activities	D84-45	10,879		2-1-84					10,879
United States emergency refugee and migration assistance fund	D84-12	37,928		10-3-83					
	D84-12A		192	1-2-84					38,120
United States bilateral science and technology agreements	D84-13	2,000		10-3-83					2,000
DEPARTMENT OF TRANSPORTATION									
Federal Railroad Administration									
Railroad research and development	D84-53	578		2-22-84					578
Federal Aviation Administration									
Construction, Washington Metropolitan Airports	D84-54	277		2-22-84					277
Facilities and equipment (airport and airway trust)	D84-14	1,083,268		10-3-83	-153063				930,205
U.S. Coast Guard									
Retired pay	D84-55	13,350		2-22-84					13,350
Maritime Administration									
Ship construction	D84-47	7,000		2-1-84					7,000
Office of the Secretary									
Transportation planning, research and development	D84-56	160		2-22-84					160
DEPARTMENT OF THE TREASURY									
Office of Revenue Sharing									
State and local government fiscal assistance trust fund	D84-15	56,068		10-3-83	-2866			106	53,308
	D84-16	15,209		10-3-83	-15198				11
Bureau of the Mint									
Expansion and improvements	D84-29	256		12-14-83	-256				
OTHER INDEPENDENT AGENCIES									
Pennsylvania Avenue Development Corporation									
Land acquisition and development fund	D84-17	13,148		10-3-83					13,148
Railroad Retirement Board									
Milwaukee Railroad restructuring, administration	D84-18	85		10-3-83					
	D84-18A		147	12-14-83					232
Tennessee Valley Authority									
Tennessee Valley Authority fund	D84-19	7,000		10-3-83					7,000
	D84-48	2,192		2-1-84					2,192
United States Information Agency									
Salaries and expenses	D84-34	2,400		1-12-84					2,400
Salaries and expenses (special foreign currency program)	D84-35	2,900		1-12-84					2,900
Acquisition and construction of radio facilities	D84-36	9,645		1-12-84					9,645
United States Railway Association									
Administrative expenses	D84-20	2,050		10-3-83		-2050	98-181		
TOTAL, DEFERRALS		4,386,310	2,875,215		-2,892,501	-2,050		69,304	4,436,278

Notes: Deferral D84-25 was reported as part of D84-21 in the second special message. In the third special message the deferral was reported separately and adjusted upward slightly.

Of the amount deferred as D84-25, $26 million was transferred to Fossil energy research and development pursuant to the 1984 Interior and Related Agencies Appropriations Act.

All of the above amounts represent budget authority except one general revenue sharing deferral (D84-16) of outlays only.

The Soil Conservation Service deferral was erroneously transmitted as D84-36 in the sixth special message. It has been renumbered as D84-49.

[FR Doc. 84-6942 Filed 3-14-84; 8:45 am]
BILLING CODE 3110-01-C

federal register

Thursday
March 15, 1984

Part IV

Environmental Protection Agency

40 CFR Part 270

Hazardous Waste Permit Program; Proposed Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 270

[SW FRL 2515-7]

Hazardous Waste Permit Program

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: On February 26, 1980 and May 19, 1980, the Environmental Protection Agency (EPA) published regulations pursuant to the Resource Conservation and Recovery Act (RCRA) which established a system to manage hazardous waste. EPA is today proposing to amend those regulations as they apply to the modification of permits for facilities that treat, store or dispose of hazardous wastes. Today's action is in response to a law suit involving the RCRA regulations.

The regulations currently in effect allow EPA to make certain minor modifications to existing RCRA permits, with the permittee's consent, without going through the draft permit, notice and hearing procedures required for making major changes to permits. The amendments being proposed today would expand the range of causes for minor modifications, allowing EPA greater flexibility to amend RCRA permits in minor respects as conditions at individual facilities change. The amendments would reduce unnecessary paperwork and administrative burdens while preserving the right of the public to participate in important permitting decisions.

DATES: EPA will accept public comments on the proposed amendments until May 14, 1984.

ADDRESSES: Comments should be addressed to the Docket Clerk, Office of Solid Waste (WH-562), U.S. Environmental Protection Agency, Washington, D.C. 20460. Communications should identify the regulatory docket number "Section 270.42—Minor Modifications of permits."

The public docket for this proposed rule is located in Room S-212A, U.S. Environmental Protection Agency, 401 M Street SW., Washington D.C., and is available for viewing from 9:00 a.m. to 4:00 p.m. Monday through Friday excluding holidays.

FOR FURTHER INFORMATION CONTACT: Jeffrey E. Detlefsen, Permits Branch, Office of Solid Waste (WH-563), U.S. Environmental Protection Agency, Washington, D.C. 20460, (202) 382-4500, or the RCRA Hotline at (800) 424-9346 or (202) 382-3000.

SUPPLEMENTARY INFORMATION: On February 26, 1980 and May 19, 1980, EPA promulgated regulations pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, (RCRA) as amended, 42 U.S.C. 6901 *et seq.* Part 270 of Title 40 of the Code of Federal Regulations contains basic permitting requirements for owners and operators of hazardous waste management facilities.[1] Section 270.41 of the regulations provides that major modifications to RCRA permits must be made in accordance with specified procedures. Those procedures include development of a draft permit, public notice and opportunity for a public hearing as required under 40 CFR Part 124. In § 270.42, however, the Agency provided that certain minor modifications can be made to RCRA permits with the owner or operator's consent, without following the procedures required under Part 124. Upon agreement between EPA and a permittee, amended permit conditions that qualify as minor modifications can simply be added to an existing permit.

Current Regulations

On May 19, 1980, the Agency provided that minor modifications could be made to permits for any of the following causes: (1) To correct a typographical error, (2) to require more frequent monitoring or reporting by the permittee, (3) to change an interim compliance date in a schedule of compliance, (4) to allow for a change in ownership or operational control of a facility, or (5) to change the list of facility emergency coordinators or equipment in the contingency plan of a RCRA permit. [45 FR 33430].

On January 12, 1981, the Agency published interim final amendments to § 122.17 (now § 270.42) which expanded the causes for minor modifications to RCRA permits to also include changes to: (1) The estimate of the maximum inventory of hazardous wastes, or (2) the estimate of the expected year of closure or the schedule for final closure activities. [46 FR 2889].

On June 24, 1982, the Agency added several causes for minor modifications to hazardous waste incinerator permits. They are: (1) To change the range of operating requirements set in the permit to reflect the results of a trial burn, (2) to change the operating requirements set in the permit for conducting a trial burn, and (3) to grant one extension of the time period for determining operational readiness following completion of construction. [47 FR 27520].

Finally, on July 26, 1982, EPA amended § 122.17 (now § 270.42) to allow as a minor modification a change to a land treatment permit to improve treatment of hazardous constituents, or to reflect the results of a field treatment demonstration or to conduct a second treatment demonstration. [47 FR 32369].

Proposed Changes to Current Regulations

The proposed broadening of permit areas which could be changed through the minor modification procedure are a result of negotiations between EPA and the petitioners in *NRDC* v. *EPA*, No. 80-1607 and consolidated cases (D.C. Cir. filed June 2, 1980.)[2] In the settlement agreement EPA agreed to propose an expanded list of minor permit modifications.

Today's proposal would increase the efficiency by which EPA and a permittee can respond to minor changes at a facility. EPA estimates that this action would result in a cost savings to the regulated commmunity of $3.7 million. EPA also anticipates that this action will not impact the level of protection of human health and the environment because environmentally protective standards for hazardous waste management facilities are not being reduced.

The proposed regulations do not define the term "minor" because it is difficult to envision every possible request for a permit modification that could occur under these new provisions or to make an *a priori* judgment that all of these modifications would be minor under all circumstances. The proposed rule gives the Director[3] discretion to determine whether any individual permit modification is in fact "minor." In general, EPA would consider an individual permit modification "minor" if the modification reflects a routine technical or administrative change that would have a negligible impact on human health and the environment. The following several sections discuss examples of what may be considered a "minor" modification, under today's proposal.

[1] The RCRA permitting requirements are contained in EPA's permit regulations, originally promulgated on May 19, 1980 as EPA consolidated permit regulations in 40 CFR Parts 122-124 and as of April 1, 1983 deconsolidated into 40 CFR Parts 124 and 270-271.

[2] For further explanation of the procedural aspects of the *NRDC* v. *EPA* suit, see the preamble to the technical amendments to 40 CFR Part 122 (as of April 1, 1983 Part 270) in the April 8, 1982 **Federal Register**. 47 FR 15304.

[3] The Director is the EPA Regional Administrator or the State Director in States with authorization to implement the RCRA permit program.

I. Modifications to Waste Analysis Plans, Inspection Plans, Personnel Training Plans, Contingency Plans, Closure Plans, and Post-Closure Plans

The first change EPA is proposing to § 270.42 affects modifications to waste analysis plans, inspection plans, personnel training plans, contingency plans, closure plans, and post-closure plans. Under the proposed amendments, the Director would have the discretion to change, amend or update these items in the permit with the owner's or operator's consent, if, in the Director's judgment, the changes are minor. Modifications to closure and post-closure plans, however, could be considered minor only if the owner or operator does not require a corresponding permit modification for the facility's operation or design. If these qualifications are not met, the modification would be considered "major" and thus subject to the more comprehensive review requirements of Part 124.

The requirements for a waste analysis plan are outlined in 40 CFR Part 264.13 (b) and (c). The following changes to a waste analysis plan would be considered minor if they were equivalent to the methods used previously: (1) Changing the methods used to test for parameters specified in the plan, (2) changing the sampling method for obtaining a representative sample, (3) changing procedures used to inspect and, if necessary, analyze each shipment of hazardous waste received at the facility, and (4) changing sampling methods used to obtain a representative sample from wastes received at the facility. The Agency believes that when the modified waste analysis plan is equivalent to or better than the plan previously approved, any changes in the plan would have a negligible impact on human health and the environment and therefore do not warrant extensive review by EPA or the public.

The following changes to a waste analysis plan would probably be considered "major" modifications to a permit: (1) Deleting a parameter for analyzing hazardous waste, and (2) reducing the frequency of analysis. These types of changes to facility operations may have consequences for the protection of human health and the environment. Therefore the Agency believes that major modification procedures are warranted.

Many changes to an inspection plan (40 CFR 264.15) or a personnel training plan (40 CFR 264.16) may be considered a minor modification to a permit. The regulatory requirements for these plans are very specific; many changes an owner or operator would wish to make to those plans are likely to be considered minor. Major modification procedures, however, are more appropriate for some changes, such as a significant reduction in the frequency of inspection.

Most changes to a contingency plan (40 CFR 264.52) would probably be a minor modification. However, some types of changes, such as changes to the part of the plan outlining actions in response to fires or explosions may have significant consequences for the protection of human health and the environment, and therefore may warrant major modification procedures. Another major change to the contingency plan would be a significant decrease in the training or expertise of fire fighters available to a facility storing ignitables, i.e. a remote facility closes its in-house fire station. Two modifications to contingency plans are currently allowed as minor modifications to permits: changing the list of persons qualified to be emergency coordinator, and changing the list of emergency equipment. (§ 270.42(e)).

In the closure plan (40 CFR Part 264.112) the description of how the facility will be closed or partially closed could be changed in major or minor respects, depending on the specific situation. For example, a closure plan for tanks could involve either: (a) Dismantling and removing for disposal or, (b) decontamination on site. A change from (a) dismantling and removing for disposal of a tank to (b) decontamination of that tank on site, would probably be considered a major modification, since such a change has a high potential impact on human health and the environment. However, a change from (a) decontamination of a tank on site to (b) dismantling and removing for disposal, would probably be considered minor under the proposal because removal of all hazardous wastes from the closed facility would reduce the potential impact on human health and the environment. As with the other proposed minor modifications, the Director must make individual judgments for each proposed modification. Changes to the estimate of maximum inventory in storage and treatment (§ 270.42(f)), and the estimated year of closure or the schedule for final closure (§ 270.42(g)), are currently allowed as minor modifications.

One type of modification to the post-closure plan (40 CFR 264.118), would probably always be considered minor: changing the designated contact person during the post-closure period. Other modifications to a post-closure plan, such as a change in ground-water monitoring and maintenance activities, would probably have greater consequence for human health and the environment and thus would probably be considered major.

II. Addition of New Wastes

The second category of amendments to § 270.42 involves permit modifications to allow the treatment, storage, or disposal of new wastes not previously specified in a permit. Under these amendments, the Director would have the discretion to allow a facility to manage new wastes within the design capacity of the facility's existing processes, provided that the change is minor. If the Director determines that additional permit conditions are required to assure the proper management of new wastes, the modification would be major. For example, the Director might determine—depending on the specific factual situation—that the addition of a new waste which is very similar in composition and properties to wastes already handled at a facility is a minor modification. Similar solvents, such as methylene chloride and 1,1,1 trichloroethane could be substituted or added as a minor modification. Similar metal-bearing wastes, such as KOO2 and KOO3 (both are chromium-bearing and lead-bearing listed hazardous wastes) could also be substituted or added as a minor modification. However, addition of a new metal-bearing waste to a facility which previously treated only chlorinated solvents would probably require new permit conditions and therefore would not be a minor modification.

III. Addition of New Treatment Techniques

The third change to § 270.42 being proposed today involves permit modifications to allow new treatment techniques not previously specified in the permit. Under this provision, certain changes to a facility's permit to allow new treatment techniques in existing tanks, surface impoundments, or waste piles could be minor modifications. However, if the Director determines that additional permit conditions are required to assure the proper use of such treamtent techniques, the change would be considered major.

If the new treatment technique is similar to one already employed and no additional permit conditions are necessary, the change would be considered minor. For example, the added technique of clarification in a

tank where wastes are already being treated using filtration methods could be considered a minor modification. Also, the addition of certain physical treatment techniques such as clarification may at times be considered minor because they often do not present any new hazard to human health or the environment or induce any additional permit conditions.

IV. Modifications to Closure Cost Estimates, Post Closure Cost Estimates, and Financial Responsibility Mechanisms

In the *NRDC* v. *EPA* settlement agreement, EPA agreed to propose amending the minor modification regulation so that minor changes, amendments, or updates to financial responsibility mechanisms would qualify as minor modifications. This amendment is no longer necessary because the Agency has promulgated 40 CFR Part 264 Subpart H Financial Responsibility regulations which currently allow minor changes and updates to the financial responsibility mechanisms. Accordingly, expanding the list of minor modifications in this area would be repetitious; the regulations already allow permittees to make minor changes to the financial responsibility mechanisms [4] absent a permit modification.

EPA also agreed, in the settlement agreement, to expand the list of minor modifications to include changes to closure cost estimates (§ 264.142) and post-closure cost estimates (§ 264.144). However, changes to the closure or the post-closure cost estimate may be major, may be minor or may not be a modification at all. For example, the closure cost estimate must be changed whenever there is a change in the closure plan. If the change in the closure plan is minor, the change in the closure cost estimate will probably be minor; if the change in the closure plan is major, the change in the closure cost estimate will probably also be major. The annual inflation adjustment to the closure cost estimate and to the post-closure cost estimate is not a mofidication of a permit.[5] Therefore, the Agency believes that it is appropriate to exclude annual inflation adjustment of cost estimates as minor modifications.

The Agency specifically requests comments on the Agency's decision not to propose the addition of minor changes, updates or amendments to the financial responsibility mechanisms, and the annual inflation adjustments to cost estimates as minor modifications in § 270.42.

Request for Comments

The Agency invites comments on all aspects of these proposed amendments to the regulations, including all issues raised in this preamble.

These proposed amendments to the RCRA permitting system are part of the settlement reached between EPA and the petitioners who raised RCRA-related issues in *NRDC* v. *EPA*, No. 80–1607 and consolidated cases (D.C. Cir., filed June 2, 1980). The agreement states that EPA will propose this action and request comments from the public. The Agency will carefully consider all timely comments before promulgating any final amendments.

Effective Date

Since 3010(b) of RCRA provides that EPA's hazardous waste regulations and revisions thereto take effect six months after their promulgation. In addition, 5 U.S.C. 553(d) of the Administrative Procedure Act requires that substantive rules not become effective until at least 30 days after promulgation. Consequently, the Agency plans to make these amendments effective six months after the date it is promulgated in final form.

Compliance With Executive Order 12291

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This proposed regulation is not major because it will not result in an effect on the economy of $100 million or more, nor will it result in an increase in costs or prices to industry. There would be no adverse impact on the ability of U.S.-based enterprises to compete with the foreign-based enterprises in domestic or export markets. Because these amendments are not major, no Regulatory Impact Analysis is being conducted.

These amendments were submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any response to those comments are available for viewing at the Office of Solid Waste docket, Room S–212A, U.S. EPA, 401 M Street SW., Washington D.C. 20460.

Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., EPA must prepare a regulatory flexibility analysis for all proposed rules to assess their impact on small entities. No regulatory flexibility analysis is required, however, where the head of the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities.

The economic impact of this regulation would be to reduce the costs of complying with EPA's hazardous waste management regulations for owners and operators of hazardous waste managment facilities (including those which are small entities). Accordingly, I hereby certify, pursuant to 5 U.S.C. 601(b), that this proposed rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 40 CFR Part 270

Administrative practice and procedure, Confidential business information, Hazardous wastes, Reporting and record keeping requirement, Water pollution control, Water supply.

Dated: March 8, 1984.

William D. Ruckelshaus,

Administrator.

It is proposed that Title 40 of the Code of Federal Regulations be amended as follows:

PART 270—EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

1. The authority citation for Part 270 reads as follows:

Authority: Pub. L. 94–580, as amended by Pub. L. 94–609, 42 U.S.C. 6901 et seq.

2. In § 270.42, is amended by adding paragraphs (o) through (q) to read as follows:

§ 270.42 Minor modifications of permits.

* * * * *

(o) Change, amend or update an owner or operator's waste analysis plan, inspection plan, personnel training plan, or contingency plan; or an owner or operator's closure or post-closure plan or closure or post-closure cost estimate (other than the annual inflation adjustment) when the owner or operator has not requested a corresponding modification for a change in the

---

[4] Financial Responsibility requirements are found in 40 CFR Part 264, Subpart H. The regulations provide that permittees must choose from the several financial mechanisms specified in § 264.143. Permit conditions implementing this requirement provide that the permittee must establish and comply with the specified financial mechanisms; however, the specific mechanism is not incorporated in the permit. The permittee currently has the flexibility to change or revise the financial mechanism without going through permit modification procedures.

[5] Pursuant to 40 CFR 264.142 and 264.144, permittees will be required to adjust their cost estimates annually for inflation and to keep all calculations and revised estimates at the facility.

facility's operation or design; provided that any such change, amendment, or update is minor.

(p) Allow treatment, storage, or disposal of new wastes not previously specified in the permit, within the design capacity of existing processes, provided that the change is minor, unless the Director determines that additional permit conditions are required to assure the proper management of such wastes.

(q) Allow new treatment techniques not previously specified in the permit in existing tanks, surface impoundments, or waste piles, provided that the change is minor, unless the Director determines that additional permit conditions are required to assure the proper use of such treatment techniques.

[FR Doc. 84-6763 Filed 3-14-84; 8:45 am]

BILLING CODE 6560-50-M

federal register

Thursday
March 15, 1984

Part V

Pension Benefit Guaranty Corporation

29 CFR Part 2619

Valuation of Plan Benefits in Non-Multiemployer Plans; Amendment Adopting Additional PBGC Rates; Final Rule

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 2619

Valuation of Plan Benefits in Non-Multiemployer Plans; Amendment Adopting Additional PBGC Rates

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This amendment to the regulation on Valuation of Plan Benefits in Non-Multiemployer Plans contains the interest rates and factors for the period beginning April 1, 1984. The interest rates and factors are to be used to value benefits provided under terminating non-multiemployer pension plans covered by Title IV of the Employee Retirement Income Security Act of 1974.

The valuation of plan benefits is necessary because, under section 4041 of the Act, the Pension Benefit Guaranty Corporation and the plan administrator must determine whether a terminating pension plan has sufficient assets to pay all benefits under the plan that are guaranteed by the PBGC under the Title IV plan termination insurance program.

The interest rates and factors set forth in Appendix B to Part 2619 are adjusted periodically to reflect changes in financial and annuity markets. This amendment adopts the rates and factors applicable to plans that terminate on or after April 1, 1984, and will enable the PBGC and plan administrators to value the benefits provided under those plans. These rates and factors will remain in effect until Appendix B of the regulation is again amended.

EFFECTIVE DATE: April 1, 1984.

FOR FURTHER INFORMATION CONTACT: Mrs. Renae R. Hubbard, Special Counsel, Legal Department, Code 250, Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, D.C. 20006, 202–254–6476 (not a toll-free number).

SUPPLEMENTARY INFORMATION: On January 28, 1981, the Pension Benefit Guaranty Corporation ("PBGC") published a final regulation on Valuation of Plan Benefits in Non-multiemployer Plans (46 FR 9492). That regulation, codified at 29 CFR Part 2619 (1983), sets forth the methods for valuing plan benefits of terminating non-multiemployer plans covered under Title IV of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1001 *et seq.* (1976), *as amended.* The regulation contains formulas for valuing different types of benefits. Appendix B to the regulation sets forth the interest rates and factors that are to be used in the formulas. Because these rates and factors are intended to reflect current conditions in the financial and annuity markets, it is necessary to update the rates and factors periodically.

As published in the 1983 edition of 29 CFR, Appendix B of Part 2619 contains interest rates and factors for valuing benefits in plans that terminated during various periods beginning September 2, 1974 through June 1, 1983. The rates and factors adopted for valuing benefits inplans that terminated on or after June 1, 1983 remained in effect until September 1, 1983. On August 15, 1983, the PBGC published new rates and factors for plans that terminated on or after September 1, 1983 (48 FR 36817). That rate remained in effect for plan terminations through the end of January, 1984. The PBGC published new rates and factors for plans terminating during the months of February and March, 1984 on January 16, 1984 (49 FR 1896) and February 22, 1984 (49 FR 6486). At this time, changes in the financial and annuity markets require an increase in the rates used for valuing benefits. Accordingly this amendment adds to Appendix B a new set of interest rates and factors for plans that terminate on or after April 1, 1984. This interest rate and these factors will remain in effect until such time as PBGC publishes another amendment concerning the rates.

Generally, the rates will be in effect for at least one month. Any chage in the rates normally will be published in the **Federal Register** by the 15th of the month preceding the effective date of the new rates or as close to that date as circumstances permit.

The PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This determination is based on the need to determine and issue new interest rates and factors promptly so that the rates can reflect, as accurately as possible, current market conditions. The PBGC has found that the public interests is best served by issuing the rates and factors on a prospective basis so that plans may be able to calculate the value of plan benefits before submitting a notice of intent to terminate. Also, plans will be able to predict employer liability more accurately prior to plan termination.

Because of the need to provide immediate guidance for the valuation of benefits of plans that will terminate on or after April 1, 1984, and because no adjustment by ongoing plans is required by this amendment, the PBGC finds that good cause exists for making the rates set forth in this amendment to the final regulation effective less than 30 days after publication.

The PBGC has determined that this is not a "major rule" under the criteria set forth in Executive Order 12291, February 17, 1981, because it will not result in an annual effect on the economy of $100 million or more, a major increase in costs for consumers or individual industries, or significant adverse effects on competition, employment, investment, productivity, or innovation.

List of subjects in 29 CFR Part 2619

Employee benefit plans, Pension insurance, and Pensions.

PART 2619—[AMENDED]

In consideration of the foregoing, Part 2619 of Chapter XXVI, Title 29, Code of Federal Regulations, is hereby amended as follows:

1. The authority citation for Part 2619 reads as follows:

Authority: Secs. 4002(b)(3), 4041(b), 4044, and 4062(b)(1)(A), Pub. L. 93–406, 88 Stat. 1004, 1020, 1025, 1029 (1974) as amended by Secs. 403(1), 403(d), and 402(a)(7), Pub. L. 96-364, 94 Stat. 1302, 1301, and 1299 (1980) (29 U.S.C. 1302, 1341, 1344, 1362).

2. Rate Set 45 of Appendix B is revised and Rate Set 46 of Appendix B is added to read as follows:

Appendix B—Interest Rates and Quantities Used To Value Immediate and Deferred Annuities

In the table that follows, the immediate annuity rate is used to value immediate annuities, to compute the quantity "G_v" for deferred annuities and to value both portions of a refund annuity. An interest rate of 5% shall be used to value death benefits other than the decreasing term insurance portion of a refund annuity. For deferred annuities, k_1, k_2, k_3, n_1, and n_2, are defined in § 2619.45.

Rate set	For plans with a valuation date		Immediate annuity rate	Deferred annuities				
	On or after	And before		k_1	k_2	k_3	n_1	n_2
*	*		*	*	*	*	*	
45	3-1-84	4-1-84	9.50	1.0875	1.0750	1.0400	7	8
46	4-1-84		9.75	1.0900	1.0775	1.0400	7	8

C. C. Tharp,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 84-7202 Filed 3-14-84; 11:22 am]

BILLING CODE 7708-01-M

Reader Aids

Federal Register

Vol. 49, No. 52

Thursday, March 15, 1984

INFORMATION AND ASSISTANCE

SUBSCRIPTIONS AND ORDERS

Subscriptions (public)	202-783-3238
Problems with subscriptions	275-3054
Subscriptions (Federal agencies)	523-5240
Single copies, back copies of FR	783-3238
Magnetic tapes of FR, CFR volumes	275-2867
Public laws (Slip laws)	275-3030

PUBLICATIONS AND SERVICES

Daily Federal Register

General information, index, and finding aids	523-5227
Public inspection desk	523-5215
Corrections	523-5237
Document drafting information	523-5237
Legal staff	523-4534
Machine readable documents, specifications	523-3408

Code of Federal Regulations

General information, index, and finding aids	523-5227
Printing schedules and pricing information	523-3419

Laws

Indexes	523-5282
Law numbers and dates	523-5282
	523-5266

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the President	523-5230
Weekly Compilation of Presidential Documents	523-5230

United States Government Manual	523-5230

Other Services

Library	523-4986
Privacy Act Compilation	523-4534
TDD for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, MARCH

7553-7794 1
7795-7980 2
7981-8226 5
8227-8416 6
8417-8580 7
8581-8886 8
8887-9162 9
9163-9406 12
9407-9558 13
9559-9706 14
9707-9858 15

CFR PARTS AFFECTED DURING MARCH

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR

Proposed Rules:
Ch. III 9738

3 CFR

Executive Orders:
12467 8229

Proclamations:
5155 8227
5156 8231
5157 8417
5158 8887
5159 9163

4 CFR

101 8889
102 8889
103 8889
104 8889
105 8889

5 CFR

110 7553
737 9808

7 CFR

180 8233
400 ..... 7795, 8419, 9407
413 9407
422 8581
726 9707
760 8905
907 ..... 8234, 9408
910 ..... 7796, 8906
915 7553
1205 8419
1794 9544

Proposed Rules:
210 9426
220 9426
319 8619
431 8620
979 9427
991 9740
1036 7571
1434 9740
1700 8933
1736 8933
1942 9190
1964 9192
1965 9192

8 CFR

204 8420
238 ..... 8581, 9559

9 CFR

81 ..... 7978, 8582
91 9408
92 9708
201 ..... 7796, 8235
381 9409

Proposed Rules:
94 9214

10 CFR

2 ..... 7981, 8583, 9352
30 9352
40 9352
50 ..... 7981, 8422, 9352, 9711
51 9352
61 9352
70 9352
72 9352
110 9352

Proposed Rules:
35 8621
50 8445
110 7572

11 CFR

114 7981

12 CFR

5 7981
28 7983
220 9559
303 8594
407 9560

Proposed Rules:
207 9741
220 9741
221 9741
225 9215
329 7834
350 8002

14 CFR

39 ..... 7554, 7796, 7984, 9411, 9412, 9714, 9715
71 ..... 7985, 8235, 8236, 9413, 9560, 9716
91 8236
93 8237
95 8907
97 7555
320 8245
1214 8426

Proposed Rules:
39 ..... 7582, 8002, 8622
71 ..... 7583, 8004, 8005, 8259, 9428, 9429, 9742
75 ..... 8005, 8623
256 9430

15 CFR

17 7986

Proposed Rules:
806 7834

16 CFR

13 ..... 7987, 8245

305 ... 9165
444 ... 7740
1101 ... 8428
1145 ... 7988, 9717

Proposed Rules:
13 ... 8550, 9220
300 ... 8937
453 ... 9688, 9743
455 ... 7835
1401 ... 7584
1500 ... 8007
1701 ... 8008

17 CFR
3 ... 8208, 9166, 9722
4 ... 8208
10 ... 8208
240 ... 8595, 9414

Proposed Rules:
1 ... 8937
31 ... 8624
33 ... 8937
230 ... 8626
239 ... 8626
270 ... 8626
274 ... 8626

18 CFR
35 ... 7993
290 ... 7797

Proposed Rules:
4 ... 8009
12 ... 8009
271 ... 8034, 9234
282 ... 8035

19 CFR
4 ... 8599
10 ... 8600
171 ... 9166
177 ... 9167

Proposed Rules:
177 ... 9746

20 CFR

Proposed Rules:
Ch. I ... 7920
Ch. V ... 7920

21 CFR
74 ... 8429
81 ... 8429
82 ... 8429
133 ... 7557
175 ... 9722
177 ... 7557
178 ... 8432, 9415, 9722
520 ... 8432, 9561
522 ... 8433, 9561
524 ... 9416
558 ... 8434

Proposed Rules:
161 ... 7584, 8627, 8946, 9749
436 ... 8260
440 ... 8260
442 ... 8260
444 ... 8260
446 ... 8260
448 ... 8260
450 ... 8260
452 ... 8260
455 ... 8260
561 ... 8446

23 CFR
655 ... 8434

24 CFR
44 ... 8246
51 ... 7559
111 ... 7559
200 ... 7559
241 ... 7559
570 ... 7559
883 ... 7559
885 ... 7559
886 ... 7559
3282 ... 7559

Proposed Rules:
200 ... 7587
251 ... 9084
3280 ... 8946

26 CFR
1 ... 8246, 8437, 8601, 9168
31 ... 8437, 9168
35a ... 9417
301 ... 8601

Proposed Rules:
1 ... 8260, 8291
53 ... 7836

27 CFR
9 ... 9168

28 CFR
570 ... 8566

Proposed Rules:
2 ... 8035, 8446, 8447
39 ... 7792
541 ... 8567

29 CFR
2619 ... 9856

Proposed Rules:
Subtitle A ... 7920
Ch. V ... 7920
Ch. XVII ... 7920
Ch. XXV ... 7920
1907 ... 8236
1910 ... 8236
1926 ... 9235
1928 ... 7589
1935 ... 8236
1936 ... 8236
2640 ... 8036
2647 ... 8036

30 CFR
11 ... 7559
218 ... 8602
256 ... 8602
901 ... 7797
917 ... 9170
935 ... 9417
936 ... 7560
948 ... 8913

Proposed Rules:
Ch. I ... 7920
55 ... 7605, 8368, 8375, 9750
56 ... 7605, 8368, 8375, 9750
57 ... 7605, 8368, 8375, 9750
58 ... 8368, 8375, 9750
906 ... 8261
920 ... 7605
931 ... 7836

32 CFR
199 ... 7561
351 ... 9561
351b ... 9562
351c ... 9564
352 ... 9565
369 ... 8250
379 ... 9567
959 ... 8606

Proposed Rules:
199 ... 7837, 8048

33 CFR
165 ... 7562, 9723, 9724

Proposed Rules:
100 ... 8631, 8633
165 ... 7606
117 ... 9750, 9751

34 CFR
350 ... 9324
351 ... 9324
352 ... 9324
353 ... 9324
354 ... 9324
355 ... 9324
357 ... 9324

Proposed Rules:
21 ... 9577
624 ... 8184
628 ... 8184

36 CFR
7 ... 9419
67 ... 9302
223 ... 8919
500 ... 9171
502 ... 9171
503 ... 9421
530 ... 9421
701 ... 8606

38 CFR
17 ... 9171
21 ... 8437, 8438, 8607, 8919

Proposed Rules:
17 ... 9235

39 CFR

Proposed Rules:
10 ... 9752
233 ... 8250
775 ... 9236
3001 ... 8448

40 CFR
52 ... 8609, 8610, 8611, 8920, 9422
60 ... 8572, 9684
62 ... 8612
81 ... 8439, 9568
160 ... 9569
180 ... 8441, 8442, 8444, 8613, 9569
228 ... 8923
421 ... 8742
461 ... 9108

Proposed Rules:
52 ... 7607, 8049, 8449, 8634, 9582
60 ... 9676
61 ... 8386, 9437
65 ... 9583
66 ... 9236
81 ... 7608
86 ... 8947
180 ... 8262, 8406, 9586, 9587
228 ... 8959
261 ... 8962
270 ... 9850
439 ... 8967
471 ... 8112
763 ... 8450
799 ... 7838, 8969, 9239

41 CFR
Ch. 15 ... 8834
Ch. 101 ... 9724, 9725
3-1 ... 7805
14-2 ... 7807
105-61 ... 9725

Proposed Rules:
101-41 ... 8051

42 CFR
37 ... 7562
405 ... 9173
421 ... 9173
434 ... 9173

43 CFR
4 ... 7564

Public Land Orders:
5444 (Corrected by PLO 6527) ... 9727
6477 (Corrected by PLO 6523) ... 7565
6523 ... 7565
6524 ... 7807
6525 ... 8250
6526 ... 9726
6527 ... 9727

Proposed Rules:
3100 ... 9752
3110 ... 9752

44 CFR
64 ... 7998, 8251, 9423
67 ... 8001

Proposed Rules:
65 ... 9437
67 ... 9437
150 ... 9239

45 CFR
302 ... 8924

Proposed Rules:
74 ... 8970
98 ... 8970

46 CFR
162 ... 7566

Proposed Rules:
528 ... 7838
536 ... 7609

47 CFR
2 ... 8252
15 ... 7809, 8252
25 ... 9727
61 ... 9174
67 ... 7934, 9570
69 ... 7810
73 ... 8252-8257, 9424
83 ... 8257

Proposed Rules:
Ch. I ... 9587

2 8454
73 ..... 8262-8268, 8635, 9438
87 8454
90 9754

48 CFR

Ch. 15 8834
Ch. 24 ..... 7696, 8258
Proposed Rules:
Ch. 18 8460
Ch. 25 9757
Ch. 28 8052

49 CFR

174 9187
177 9187
192 7567
195 7567
217 8928
572 9570
575 8929
1033 8613
1057 9570
1201 9571
1207 9571
1241 9571
1280 7831
1310 7832
Proposed Rules:
533 8637
571 8970

50 CFR

21 9736
37 7569
640 9736
642 9736
646 9736
649 9736
650 9736
651 9736
652 9736
654 9736
655 ..... 9571, 9736
658 9736
661 9736
662 9572
663 9736
671 9736
672 ..... 8616, 8931
674 9736
675 9736
680 9736
681 9736
Proposed Rules:
630 9588
649 ..... 7838, 9589
652 8460

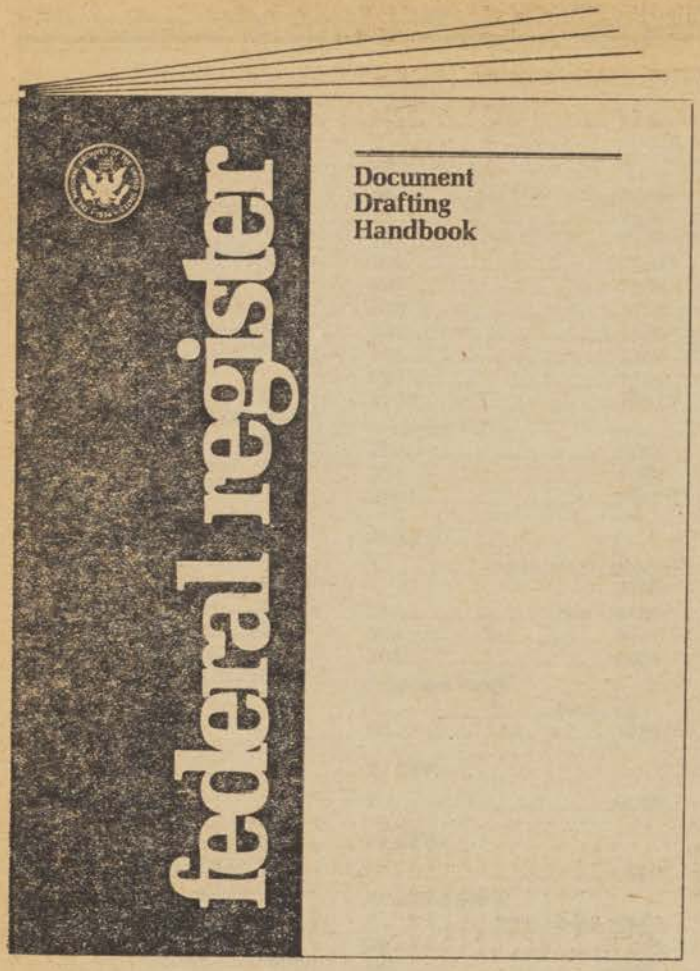
List of Public Laws

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (phone 202-275-3030).

S.J. Res. 161/Pub. L. 98-230

To designate the month of April 1984, as "National Child Abuse Prevention Month". (Mar. 12, 1984; 98 Stat. 58) Price: $1.50

Last List March 14, 1984



Federal Register Document Drafting Handbook

A Handbook for Regulation Drafters

This handbook is designed to help Federal agencies prepare documents for publication in the Federal Register. The updated requirements in the handbook reflect recent changes in regulatory development procedures, document format, and printing technology.

Price $5.00

Order Form

Mail To: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

Enclosed is $ _____ ☐ check, ☐ money order, or charge to my Deposit Account No.

☐☐☐☐☐☐☐–☐

Order No._____

MasterCard and VISA accepted.

Credit Card Orders Only

Total charges $_____ Fill in the boxes below.

Credit Card No. ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date Month/Year ☐☐☐☐

Please send me ____ copies of the DOCUMENT DRAFTING HANDBOOK at $5.00 per copy. Stock No. 022-001-00088-4.

PLEASE PRINT OR TYPE

Company or Personal Name

Additional address/attention line

Street address

City State ZIP Code

(or Country)

For Office Use Only

Quantity		Charges
_____	Publications	_____
_____	Subscription	_____
	Special Shipping Charges	_____
	International Handling	_____
	Special Charges	_____
	OPNR	_____
_____	UPNS	
_____	Balance Due	
_____	Discount	
_____	Refund	

882